THE

MERRY TALES

OF THE

THREE WISE MEN OF GOTHAM.

EDITED BY THE AUTHOR OF

JOHN BULL IN AMERICA.

"Three Wise Men of Gotham
"Went to Sea in a Bowl:
"If the Bowl had been stronger,
"My Tales had been longer."

NEW-YORK:
G. & C. CARVILL, 108 BROADWAY.
Sleight & Tucker, Printers, Jamaica.
1826.

SOUTHERN DISTRICT OF NEW-YORK, SS.

BE it remembered, that on the twenty-eighth day of February, A. D. 1826, in the fiftieth year of the Independence of the United States of America, G. and C. Carvill of the said district, have deposited in this office the title of a book, the right whereof they claim as proprietors, in the words following, to wit:

"The Merry Tales of the Three Wise Men of Gotham. Edited by the Author of John Bull in America.

"Three Wise Men of Gotham
"Went to Sea in a Bowl:
"If the Bowl had been stronger,
"My Tales had been longer."

In conformity to the Act of Congress of the United States, entitled, "An Act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the times therein mentioned;" and also, to an Act, entitled, "An Act, supplementary to an Act, entitled an Act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the times therein mentioned, and extending the benefits thereof to the arts of designing, engraving, and etching historical and other prints."

JAMES DILL,
Clerk of the Southern District of New-York.

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INTRODUCTORY DISSERTATION.

ALTHOUGH most of the celebrated cities of antiquity have been described with such accuracy, and their situations pointed out with so much precision, that there is little difficulty in at least making a tolerable guess at their remains; yet are there two most remarkable exceptions. To this day no one has succeeded in establishing beyond question where Babylon once stood, and still less have the most indefatigable inquiries even led to a reasonable conjecture as to the site of the little less renowned city of Gotham. No circumstance can furnish a higher proof of the superiority of the works of the head, over those of the hands, than that the fame of these two great cities should have been preserved in books long after every other certain vestige of their existence, had perished from the face of the earth.

History, sacred and profane, alone preserves the remembrance of Babylon; and of Gotham, we possess scarcely any other memorial than the im-

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mortal lines, to be found in the title-page of this work. And this example furnishes a striking proof of the importance of heroes, poets and philosophers in cities and states. How many of these have been utterly forgotten in the lapse of time, merely for want of some great man to rescue them from oblivion! How many of the most insignificant have, on the contrary, become renowned solely in consequence of having been the birth-place or residence of some illustrious citizen! Who would ever have heard of Stagira, but for the nativity of Aristotle? Who would have remembered half the cities that contended for the honour of being the birth-place of Homer, had it not been for that illustrious rivalry? who would not go ten miles out of the way to avoid Arpinum, but for the glory of Cicero? And who, finally, would ever have dreamed of the existence of such a city as Gotham, had it not been for the unparalleled distinction of having possessed three sages at one and the same time, a circumstance which places her far above all the cities of ancient Greece. They had their single wise men; and all that the force of ancient genius seems to have been capable of, was to produce one of these at a time. In short, a thousand proofs are extant to show that the memory of illustrious men constitutes those everlasting links which bind together the different ages and nations of the earth; and that were it not for these inde-

structable landmarks of time, we should scarcely have any thing to remind us, that we have been preceded by hundreds of generations.

These reflections may serve to place in a more striking point of view the ingratitude of mankind, in so often neglecting or persecuting those profound sages and philosophers, who not only confer upon them while living the most substantial benefits, but carry the renown of their birth-place to the latest posterity. The virtues, talents, and glorious services, of illustrious men of every nation, constitute their best inheritance, their most rational source of pride and exultation, and it has often happened that the renown of a people, like that of the Thebans, began and ended with a single man. Yet how often we find nations either entirely indifferent to their best benefactors, or persecuting them with all the barbarous rigors of religious, political, or philosophical intolerance! Not to mention the numerous instances recorded of ancient times, we shall find, even in the most enlightened ages, humanized by the mild and forgiving precepts of Christianity, these examples if possible still more numerous and flagrant. Galileo is a hackneyed instance; but it is not so generally known that Newton was charged by bigotry and ignorance with holding opinions at war with orthodoxy, and Locke expelled from that reverend bedlam, Oxford, by political intolerance. Among

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the most illustrious reformers, as well as the most enlightened of reasoners, Melancthon, Erasmus, and even Theodore Beza, were suspected and denounced, because they did not keep pace with the rampant zealots of the times, who would willingly have warmed them at the stake. In short, it would seem to be among the inflexible dispensations of Providence, that no selfish motive should ever operate upon the great benefactors of mankind, in their glorious endeavours, since all they can rationally anticipate as their reward in this world, is to pass their lives amid persecutions and slanders, among a race of ungrateful beings, who never become sensible of their ingratitude or their obligations, till it is too late to make reparation.

Owing to this waywardness of mankind it has happened, that now when a disposition prevails to do justice to the illustrious dead, and for want of a sufficient number of distinguished persons to employ the pens of the innumerable biographers that stand ready, pen in hand, to strip the dead before they are cold, and lay their foibles open to the world, they are fain to bestow their labours on persons whose greatest merit is their insignificance.—Owing to this, I say, it has happened that not only the precise place occupied by the famous city of Gotham, but likewise the æra in which her three sages flourished, cannot now be ascertained. All that can be done is to grope in the obscurity of vague

conjecture, and then leave the matter more obscure than before. It may be, however, worth while to pass in review the different opinions heretofore advanced upon this important point.

Some will have it, that Gotham was the ancient capital of the Goths, of whom, we thank our stars, king Roderick was the last, according to Mr. Southey. At any rate we hope it will be the last of the laureate's epics. Others, on the contrary, have maintained with great zeal that Gotham is a corruption of Gotha, the seat of a northern university, where they philosophise pretty deeply, and study metaphysics. A third class of inquirers affirm, that such a city never existed, because they have not been able to find any traces of its existence, which in our opinion is the poorest reason in the world. The four lines of our title-page, furnish better proof of its existence than all the fragments of Carthage, or stately ruins of Thebes and Palmyra. Antiquaries ought to blush for such frivolous doubts! They are utterly unworthy of the strong faith which should ever animate this class of explorers.

Among the vast variety of opinions upon this point, that which identifies Gotham with the famous city of Gottingen, which is the seat of a university, founded by the renowned Baron Munchausen, is not the least plausible at first sight. There are numerous examples not only of cities but of empires, whose names, being ill adapted to poetry,

have been changed into others more musical and harmonious. In short, almost all countries have a prosaical and a poetical name—Gallia, Iberia, Ausonia, Hesperia, Albion, Hibernia, Columbia, and a hundred others, will at once occur to the general reader. It will readily be conceded by all unprejudiced persons, that Gottingen, is neither sonorous, musical or poetical, and therefore without any great violation of probability, we may suppose a poet of a delicate ear would soften it down to Gotham, a name wonderfully adapted to poetry. But there is a still stronger presumption in favour of this opinion. At Gottingen, as we are credibly informed, the professors actually adventure upon animal magnetism, phrenology and such dangerous sciences, which would seem to justify a shrewd suspicion, they would not be a whit too good to venture out to sea in a large bowl, well ballasted with punch, such as whilom used to be placed upon the smoking board of a jolly New Netherlander, by four stout menials on new year's eve, ere the dire irruption of liqueurs, and other outlandish poisons. Nor would this adventure have appeared so rash as might seem at first sight, since we have been assured by a person of great experience in nautical affairs and punch drinking, that there is a natural antipathy between salt water and punch, insomuch that being once half seas over, he fell into the ocean with a bowl of punch in his hands, and floated several

hours, quietly sipping, until he was taken up again; not a single drop of sea water had polluted his beverage all this while. He declares a punch bowl is far preferable to a life boat, and a skin well lined with punch, a thousand times superior to a cork jacket. These facts are sufficient to put to the blush, all those who conceive it any imputation upon our Three Wise Men, that they should venture to sea in a bowl.

But there is one opinion put forth by certain English writers, who, if they could bring it about, would not leave the rest of the world a single philosopher, which we are inclined to treat with infinite contempt. We mean the absurd notion, that Gotham is actually a town in Northamptonshire, or rather a rotten borough, which, although entirely destitute of inhabitants, returns three members, who are generally called the Wise Men of Gotham, because they instinctively vote with the ministry, agreeably to the instructions of their constituents. It is said that this place was remarkable for goats in the time of William the conqueror, and that the people used to ride them, instead of horses, which, in the opinion of some, gave rise to their being called the Wise Men, or according to the opinions of others, the Mad Men of Gotham. A great Oxford antiquary, of whom it has been said that he remembered whatever others forgot, and forgot whatever other people

remembered, speaks of the "Merry Tales of the Mad Men of Gotham," a work in great repute in his time, when the kindest name given to a philosopher, was that of madman, a phrase which often saved him from the stake or the block. This work was long supposed to be extinct, but at length came to light, not long since, at Mr. Bindley's sale, and was bought by a young American traveller for a trifle, owing to the deplorable ignorance of two munificent noblemen, who little suspected that it was the only copy in the known world, and for that reason considered it as worth nothing.

It is this work which is now presented to the reader, divested of its antique garb, that it may be more extensively circulated and understood, and restored to its genuine title of the "Merry Tales of the Three Wise Men of Gotham." It was thought inhuman to hoard up the treasure, and keep all this huge bundle of knowledge to ourselves, after the manner of certain great lovers of literature, who think a book is like a mistress, of no value if her beauties are enjoyed by another. But to return to our subject.

Though we have adopted the work as genuine, we are by no means inclined to humour the English writers in their claim to this illustrious city. They are welcome to London and Liverpool, and even to Oxford and Cambridge, with all our heart. But as to the renowned city of Gotham, we will not yield

a single hair of its head to England or any other country. We are willing to let the matter rest as it is, so that every nation may have an equal claim, but our disinterestedness will go no farther. All we will concede is, that Gotham, like some illustrious philosophers and benefactors of the human race, is a city belonging to the whole civilized world. The emporium of the arts, the head-quarters of philosophy, and the illustrious seat of the perfection of reason. Whether in the new or the old world, is of little consequence, since such is its glory and renown, that there is quite enough of it to satisfy half a dozen worlds. Leaving this part of our inquiry to take care of itself, we will proceed to discuss other equally important matters.

It cannot be sufficiently lamented by those who rightly consider the forgetting of any thing a great misfortune, whether it was worth remembering or not, that such a culpable carelessness and indifference prevailed in early times in respect of the little peculiarities and private particulars which no doubt distinguished the great men of those days. It is melancholy to think how much we read, and how little we know of, the great writers of antiquity. The race of pains-taking biographers, who in the present age so amply furnish all these interesting particulars, was unknown at that time, at least none of their works have come down to us. It is owing in a great measure to this circumstance, that the great

men of antiquity preserve a sort of prescriptive superiority over the moderns; not that they were really wiser or more virtuous, or brave, but because there were no prying, curious, industrious, painstaking persons, who noted their foibles, set down their folly for wisdom, and made use of the intimacy they had obtained by cringing sycophancy, to furnish themselves with materials to shame them with posterity.

Thus it is that the ancients tower above the moderns, because of the former we know scarcely any thing but what is great, and the greatness of the latter is overshadowed by littlenesses. Their virtues and vices, their wisdom and folly, their magnanimity and meanness, their strength and their weakness, are so mixed up, and withal so impartially dwelt upon by the faithful biographer, that we approach the most illustrious sage with the familiarity of a pert valet, by long service become acquainted with all the foibles and secrets of his master. We become as it were quite relieved from that sense of degrading inferiority inspired by the naked simplicity of ancient virtue, as handed down to us by writers so neglectful of their duty, as one half the time to forget whether their heroes had in reality any vices to bring them down to the level of humanity.

Still more is it to be regretted that the noble ambition of collecting those works which derive their

peculiar value from having been long since forgotten, did not originate somewhat earlier, and before so many valuable relics, so much invaluable information, had been irretrievably lost. Follies and weaknesses that might have been dignified by the examples of illustrious men, are become degraded by being supposed to appertain exclusively to the vulgar; and the mousing gossips of literature cheated of all chance of pulling to pieces the character of an ancient worthy.

This blameable neglect in recording the littlenesses and preserving memorials of the vices of great persons, can perhaps best be accounted for and excused, on the supposition that a great portion of the now illustrious sages of antiquity had not their merits brought to light until long after they were dead, when the only memorials of their having once existed, were their immortal works. Conquerors, heroes, and fashionable bards, receive the admiration of their cotemporaries, and reap their harvest while living; but sages and virtuous men must, for the most part, content themselves with being venerated in their ashes, and rewarded in a future world. The difference between the mere vulgar idol of a fashionable mob, and the retired votary of wisdom, genius, and virtue, is, that the one is remembered while living and forgot when dead, while the other emerges to light and immortality at the moment he ceases to live. It is then

that the literary "resurrection men," for the first time, discover that he is worth disinterring, and that they set about disturbing his ashes, and raking up, with pious industry, the memory of all those little, frivolous, and impertinent particulars, the knowledge of which answers little other purpose but that of adding to our contempt for poor human nature. Thus it is that the longer the time which elapses after the death of great men, before mankind discover they were really great, the more fortunate for their lasting reputation. They revive with greater lustre, when all the little clouds and shadows which dimmed their glories are passed away, and appear in the imperishable brightness of their own immortal productions. Of Homer, Shakspeare, and the few names that occupy the summit of the temple of Fame, how little do we know; while every body knows all about the lesser lights, that will twinkle for a little while in the darkness which surrounds them, and then go out for ever. The "Great Unknown," has, we are credibly informed, not less than six industrious "resurrection men," watching day and night only for the breath to be fairly out of his body, to make an example of him. Nay, so impatient are they for his decease, that it is currently rumoured on this side the water, they have it in serious contemplation to make away with him the first convenient opportunity, in their apprehension that he will

cheat them of his biography, by unluckily outliving them all. We earnestly advise him not to go out at night, nor wander in solitary places; or at least, if he will, to wear a coat of mail, and take every reasonable precaution. It would be twice unfortunate, to be first made away with, in cold blood, and afterward murdered in a biography. The best way, we think, and we advise him to it forthwith, will be to write his own life, after the manner of certain persecuted worthies, who, in order to disappoint the mob of a public spectacle, fairly hang themselves up the night before execution. Be this as it may, it is, without doubt, owing in a great measure to the fact, that our Three Wise Men were of the class of the immortals who live only in after ages, that their fame has lain thus long, as it were in abeyance, while so many insignificant persons have been handed down with honour, not indeed from generation to generation, but from the reviewer to the magazines, and from the magazines to the newspapers.

A still greater uncertainty, obtains in respect to the precise æra in which our sages flourished, than exists in relation to the place of their nativity. In the original Black Letter copy, neither the date of the publication, nor the name of the printer, are preserved, so that we are left entirely in the dark, as to these interesting particulars. Neither can any thing decisive be inferred.

from the nature of the topics discussed, or the events alluded to, in the course of the work, since nothing is more certain than that the opinions as well as the events of the world, like the world itself, are perpetually moving in a circle. Revolving years, as they bring about a return of the same seasons, and the same fashions in dress, reproduce at the same time similar errors of the vulgar, and absurdities of the wise. Old errors are pretty sure to return, after having been absent long enough to be forgotten, under a new name, and with a new face. They are like spaniels; we cannot beat them from us. Thus it is, in like manner, with the theories and inventions which are daily passed upon us for original, but which for the most part, will be found to be nothing more than revivals of old and exploded fashions, which the world had wore till it was tired, and then thrown by among the lumber of antiquity, for some new rattle, that had its day, and then followed its predecessor, quietly into a temporary oblivion. To argue then that the following work is modern, because it treats of topics fashionable at the present day, is in effect to deny, what is certainly true, that one age is a mere edition of another, with some alterations, but the contents substantially the same. It tickles human vanity, to tell us, that we are wiser than our fathers; and it is one of those propositions, which is likely to pass without contradiction, from the circumstance that

all those most interested in denying it, are dead and gone. But if the grave could speak, and the churchyards vote upon the question, we living boasters would be in a most pitiful minority. That the knowledge of mankind is not always progressive, and one age inevitably wiser than another, is exemplified most miserably in the history of the world. It is only to cast our eyes towards the country of Homer, of Aristotle, and of Socrates, to behold millions of living testimonies to prove that the mind of man, like the crab, moves backwards and forwards with equal facility, and that ages of knowledge seem naturally succeeded by ages of ignorance. Man cannot do or know every thing at once; and it is not altogether improbable, that in proportion as a succeeding age adds to the knowledge of a preceding one, it makes way for it, by displacing something equally important. Men may forget as well as learn; and, without doubt, many, very many, wise and virtuous habits and practices have been from time to time elbowed out of the world, to make room for outlandish and pestilent novelties. He, therefore, who should take upon him, to pronounce this work a production of the present age merely on the authority of the topics it discusses, would very probably decide that the elderly gentlemen about town are all young, because some of them dress like dandies, dance cotillions, and aspire to the possession of youthful belles.

Some may suppose that the names of the Three Wise Men, might possibly lead to detection. But we feel bound in candour to confess that these are of our own invention. Such is the innate modesty of true wisdom, that not one of this illustrious trio ever took occasion to disclose his name to any living person, so far as we have been able to discover. Certain it is, that if they did, the author or compiler, whose name is equally unknown, has either wilfully or ignorantly omitted it through the whole course of the work, leaving blanks, which we thought proper to fill up to the best of our judgment, as the frequent omissions had an unpleasant effect on the eye of the reader.

The circumstance of their going to sea in a bowl, we are rather inclined to consider as allegorical; or perhaps it may be a poetic licence. At all events, whether it be so or not, it indicates in the most striking manner, the opinion entertained by the poet, of their daring intrepidity in thus venturing out upon the most unstable of all elements, in so frail a barque. It shows a contempt of danger, when encountered in search of knowledge, far above that of Belzoni, Parke, Hornman, or any martyr to Egyptian mummies, incognita African rivers, or northwest passages. A love of knowledge, so elevated above all fear of consequences, places them on a level with that distinguished phrenologist of Edinburgh, who is reported to have

knocked out his own brains, for the purpose of demonstrating the truth of his favourite science.

Having now, as we presume to flatter ourselves, sufficiently established to the satisfaction of the reader the three points we set out to prove, to wit, that neither the birth-place, the æra, or the names of the Three Wise Men of Gotham, can now ever be known, we shall put an end to our inquiry. Before we conclude, however, we will take occasion to state, that the engraving in the title-page, is an exact copy of the frontispiece to the Black Letter copy. Should any doubt the existence of the original, we refer them to our publisher, for further satisfaction.

It may be proper to add that there is neither introduction nor preface to the originals of these Tales: no explanation of the particular circumstances which brought our Three Wise Men together; nor of the occasion which prompted them to relate their stories to each other. We may reasonably, however, suppose that it was done to while away the tedium of a long voyage; and that upon some placid summer morning, while the wave was calm, the sky serene, the sea-birds skimming over head, and the dolphins playing beside them, the Man Machine, being politely requested by his companions, began, as will be seen in the following pages.

New Amsterdam, February, 1826.

THE MAN MACHINE;

OR,

THE PUPIL OF "CIRCUMSTANCES."

I was born, began the first Wise Man of Gotham, in a country that I consider unworthy of my nativity, and for that reason I shall do all in my power to deprive it of the honour, by not mentioning its name. I am, moreover, descended from a family, which must necessarily be of great antiquity, since, like all old things, it has long since fallen into decay. My father had little or no money, but was blessed with the poor man's wealth, a fruitful wife and great store of children. Of these I am the eldest; but at the period I shall commence my story, we were all too young to take care of ourselves, until the fortunate discovery was made by some great philanthropist, that little children, of six or seven years old, could labour a dozen or fourteen hours a day without stinting their minds, ruining their health, or destroying their morals. This improvement in the great science of PRODUCTIVE LABOUR, delighted my

father—it was shifting the *onus*, as the lawyers say, from his own shoulders to that of his children. He forthwith bound us all over to a cotton manufactory, where we stood upon our legs three times as long as a member of congress, that is to say, fourteen hours a day, and among eight of us, managed to earn a guinea a week. The old gentleman, for gentleman he became from the moment he discovered his little flock could maintain him—thought he had opened a mine. He left off working, and took to drinking and studying the mysteries of political economy and productive labour. He soon became an adept in this glorious science, and at length arrived at the happy conclusion, that the whole moral, physical, political and religious organization of society, resolved itself into making the most of human labour, just as we do of that of our horses, oxen, asses and other beasts of burthen.

I was nine years old when I went into bondage, and had previously learned to read and write pretty fluently; for in my country there are few so poor that they cannot obtain these advantages. It was lucky for me, for I never learned any thing afterwards but the art of adding to the amount of productive labour. I continued in this happy asylum of infant innocence till I was thirteen years old. I say happy, according to the glorious science of productive labour. It is true

we had little to eat, but as we had but little time to eat it in, it was of little consequence whether we had plenty to eat or not. The short space allowed us for eating had another great advantage, as the superintendent assured us. By swallowing without chewing, our food was longer in digesting, and of course administered more to our nourishment. He instanced the snakes, who always swallowed their prey whole—and the wisdom of serpents was proverbial. Food and time were precious things, and people ought to make the most of them. It was also a maxim with him that too much liberty or leisure, was quite as bad as too much food and too much time to eat it in. It made people radicals and unbelievers. Thus he clearly proved that the little we had to eat, and the little time to eat it, was highly beneficial.

To enforce this salutary doctrine, there was a system of fines, which for a long while made a great hole in our pockets. Our moments were all numbered—there was a fine for every moment we exceeded the limited time of meals—a fine for every moment we went beyond the specified time allowed for all the ordinary operations of nature—a fine for looking out at a window—a fine for opening a window, although we might be suffocating in an atmosphere of cotton exhalations, heated like an oven—a fine for sneezing, lest we

should blow away some of the particles of cotton, and thus diminish the amount of productive labour. There was a fine for nodding over a spinning jenney, when the poor souls, worn out with the endless monotonous toils of the day, involuntarily sought refuge in a momentary forgetfulness. In short, we were chained and enslaved by a system of petty fines and exactions, which, in addition to the certainty of being punished on Saturday night, when we brought home our diminished earnings, soon made us as docile as the galley slave at his oar. We had neither time to learn, nor inclination to play, for the short intermission of our labours was passed in dozing. We became stupified in mind, and the functions of our bodies gradually obeyed the impulses of the engine, which gave life and motion to the machinery. By the time I had been there three years, I became sensible that my soul had transmigrated into a spinning jenney, and that I had actually become a piece of machinery.

But the happy discovery that even little children of six or seven years old could add to the amount of productive labour, instead of wickedly eating and being merry at school or at play, was fated to be improved upon, like every thing else in this most improving age. Some persons of rather morbid sensibility, began to surmise that this mode of calling out the productive labour of little

children of six or seven years old, was not altogether either humane or politic. It was discovered in the course of inquiry, that this seclusion from air, exercise, instruction and amusement, together with the total absence of all variety in the routine of their existence, each so essential to the welfare and happiness of children, was highly pernicious to their health, their morals and their minds. Though it might add to the great mass of productive labour, it was equally certain that it also added to productive vice and ignorance. Various plans were accordingly suggested from time to time, for combining perpetual confinement and labour, with the necessary freedom, instruction and amusement; and for arresting the progress of moral and physical degeneracy, without infringing upon the paramount claims of productive labour—the grand and only desideratum of the social compact.

It was in pursuance of this great object that a celebrated philosopher, or philanthropist, I hardly know which, fortunately conceived a plan by which these desirable effects might not only be produced, but combined with an entire new state of society, which would remove all temptation to crime, and consequently all necessity for punishment. Accordingly he lost no time in establishing in our neighbourhood a manufactory for

the spinning of cotton and the perfectibility of man.

My father was quite taken with this improvement in the glorious science of productive labour, which he considered would be killing two birds with one stone; and for my part I was quite willing to go just whither he pleased. I had lost all habit of thinking or acting for myself, and being pretty well assured that I could not be much worse off, felt perfectly resigned to go any where else, than where I was. I never envied any thing that I recollect, but a little bird that had made its nest within view of the window where I worked, and whose merry notes and wayward liberty, sometimes brought the tears into my eyes, without my knowing what was the matter with me. The superintendent caught me at it one day, and fined me for losing time in wiping them away with my sleeve. I accordingly joined the new establishment with as little anxiety or anticipation as the blind man changes his prospect.

When about five hundred men, women and little children were got together, our master, the manufacturing philosopher, made us a speech, in which he proceeded to lay down his first principles. I think I remember almost his very words, for they made a great impression at the time, and he often repeated them afterwards. My

memory being the only faculty I ever had occasion to exercise during the early part of my life, has likewise become very retentive.

"I consider," said he, "the people employed in my establishment as a part of the machinery, the whole of which it is my duty and interest to combine, so that every hand, as well as every spring, lever and wheel, shall effectually co-operate *to produce the greatest pecuniary gain to the proprietors, which is what I understand by the perfectibility of the Man Machine.**

"You are well aware of the advantages of having good substantial machinery, and the necessity of keeping it clean, well arranged and in a high state of repair; and that if it is allowed to get dirty, and out of order, it produces unnecessary friction, and consequently will not perform *the same quantity of work.* If then a want of due care as to the state of your inanimate machines, produces such mischievous results, what may not be expected when the MAN MACHINE is suffered to get out of order by neglect?

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* There is such a remarkable coincidence between this and the following positions, and those advanced in "A New View of Society," lately published, that we cannot help suspecting the author of the latter of having had a peep into the Wise Men of Gotham.

"When you shall acquire a right knowledge of these machines, their curious mechanism—their self-adjusting power—when the proper main spring shall be applied to their various movements, you will become conscious of their real value, and you will be readily induced to turn your thoughts more frequently from your inanimate to your living machines; you will discover that the latter may be easily trained and directed to procure A LARGE INCREASE OF PECUNIARY GAIN, while you may also derive from them high and substantial gratification.

"Now the main springs, or first principles, which I would apply to the regulation of these *Men Machines*, are equally obvious and simple. In the first place, I am fully satisfied that children are merely compounded of corporeal machinery; and that, as you may equally apply the powers of a steam engine to the manufactory of cotton or the destruction of mankind, so you may with equal ease direct the machinery of man to good or evil purposes. In the one case, it is done by regulating the operation of the steam engine by certain rules of science and experience, in the other by example and education. Unhappily, however, the talents and ingenuity of men, have lately been too much turned to the object of improving inanimate machinery, forgetting, it would seem, that the labour of the Man Machine may, by proper regulation, be so regulated and arranged *that one man may be able to do the work of twenty.*

"Not only this, but I will venture to assert, without fear of contradiction, that as you may improve the Man Machine so as to make it doubly operative in adding to the mass of productive labour; so may you in like manner give it, at the same time, any character you please, by means which are at the command of all those who influence the affairs of the world and take a proper advantage of circumtances. *I also assert, that a community may be so trained, as to live without idleness, without poverty, without crime and without punishment, by the mere application of circumstances.**

"I assert, in the second place, that the will of man has no power over his opinions, and therefore it is absurd to make him accountable for errors which originate entirely in a defective system of education, over which he has no control whatever, at the period in which he receives all his impressions. In fact, my dearly beloved machines, it is susceptible of demonstration, *that from the creation of the world to the present time, all men have been erroneously trained, and hence all the inconsistencies and misery of this world.** Hence, it arises that generation after generation have been taught crime from their infancy, and when so taught,

* The author of the New View of Society, has apparently borrowed these sentiments.—Ed.

hunted like beasts of the forest, until they are entangled beyond escape in the toils and nets of the law. All this would have been avoided had CIRCUMSTANCES been altered. The judge would have been at the bar, and the criminal on the bench.

"From these undeniable facts, it results that as the human machine cannot be accountable in the eye of reason for opinions originating in an erroneous system of education over which it has no control, so neither can it be legally or morally accountable for its actions so far as they are influenced by those opinions. To punish the Man Machine for these by fine, imprisonment or death, is therefore about as rational and just, as to punish a spinning jenney for going wrong, after being constructed on wrong principles. Indeed nothing can be more absurd or barbarous than the whole system of punishments. Punishment, I will venture to assert, never has, nor ever can have any effect to prevent the commission of crime, as is proved by the daily commission of crimes, notwithstanding these punishments.

"Punishment does not entirely prevent the commission of crimes; therefore it does not prevent them at all; therefore it is absurd, inexpedient, and cruel. Experience therefore has settled the question. But even if this were not the case, analogy would be decisive on the subject. It is the opinion of some of the best philosophers, that mankind originally derived all their knowledge and a great

portion of their virtues from the example of the beasts of the field; and certainly this is a much better foundation, than the erroneous system of education which has been pursued for the last six thousand years, and which by gradually substituting the precepts of blockheads, for the examples of nature, hath brought ruin upon a thousand generations. Look round then upon all nature, and see what her unsophisticated votaries practice. Is the eagle punished by the rest of his tribe for robbing the fish-hawk of the prey he has attained by long and laborious watchfulness? Is the rat or the weasel clapt up in his hole, for the better part of his life, by a jury of rats or weasels, for making inroads upon a cheese, or robbing a hen-roost that did not belong to him? Is the tyger hung in chains by his self-styled rulers, for tearing a lamb to pieces? Or is the lordly lion shut out from the light of heaven, and fed on bred and water, because he follows the instinct of nature in hunting down and devouring the weaker annimals? No, my dear Men Machines, the wise animals of the forest, are too reasonable to punish their fellows, for doing what nature, habit, example, and education have made it impossible they should not do.

"Extend the analogy through all creation, and you will find man alone arrogating to himself the prerogative of punishing his fellow creatures, for the absurd purpose of preventing crime. And

what has been the consequence? Beyond doubt, mankind are absolutely allured into the commission of crimes, by the very terror of punishment, in the same manner, that birds are inevitably drawn into the jaws of the serpent, from the actual fascination of terror.

"Besides this, it is demonstrable, that criminal laws, instead of preventing, create crime, by making that criminal which was before innocent. I recollect hearing an observation made by an innocent man, who had been forced into the commission of murder, by the erroneous system of education pursued for the last six thousand years, which made a great impression upon me, and gave the first hint of my New View of Society.* 'Alas!' said the unfortunate, or as the vulgar say, guilty man—'alas! what an unlucky being am I. If society had not thought proper to punish murder, I might have passed for an innocent man.' By following this train of reasoning we shall find that the sole use of criminal law is to create criminals, who are only so because the law capriciously inflicts punishments upon certain acts which would otherwise be perfectly innocent.

"The error of these wise lawgivers, is in mistaking the real object and end of all laws.

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* Another singular coincidence!—Ed.

They have been pleased to suppose, that laws are intended as restraints upon the extravagant impulses of the PASSIONS, those phantoms which like all other phantoms had their origin in the ignorance and bigotry of mankind, and which I have altogether excluded from my New View of Society. Now if religion and morality cannot prevent men from committing crimes, what is the use of religion and morality, or what is the use of laws to prop up such a patchwork system? If one cannot answer the end, all three together cannot do it. If religious and moral impressions connot restrain mankind from the commission of crime, then the laws will not do it. If the stings of conscience, and the fear of eternal punishment is insufficient; then the fear of temporal punishment must be equally so—therefore law and religion are entirely useless in the world, and therefore I have banished them entirely from my New View of Society. In fine, my dear young pupils, be assured that crimes will never cease in this world, till all punishments are abolished, and mankind taught virtue by means of an inveterate habit; by certain fixed and inflexible rules, inherent as it were in the Man Machine, like the laws of motion which govern the spinning jenney, and from which it cannot depart, without a dissolution of its parts, equivalent to the cessation of motion called death, in the Man Machine.

"Yes, my dear pupils, nothing is wanting to restrain these crying evils, and repair as far as possible the miseries inflicted on the Man Machine for the last six thousand years, by an absurd and erroneous system of education, than an habitual, invariable, and inflexible adherence to the sublime maxim, *that self-love properly understood and uniformly practised, is the basis of all virtue, as well as happiness, in the social state.** Instead of burthening you with abstract principles of right and wrong, which have no other effect than to confound all distinctions between virtue and vice, I shall merely advise you, whenever you have any doubt on the subject to consult your self-love, that is to say, in other words, inquire what course will best conduce to your own individual happiness, and depend upon it, that will point unerringly to the happiness of society. I will now dismiss you, the elder to the instructive lessons of the steam engine and the spinning jenney; the younger to the play ground, where they will be taught all the duties of self-love, at leap-frog and jackstones. Take notice, however, I prohibit you all from playing at push-pin, a game which, by giving rise to mischievous ideas of individual property, may justly be denominated the root of all evil."

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* Here, again, the author of the "New View" has borrowed from the Wise Men.—Ed.

Unfortunately I was too old to be permitted to learn all my social duties in the play ground, so I was dismissed to the spinning jenney for a lesson. Here as before, I worked so many hours in the day for the benefit of productive labour, and the honour of the New View of Society, that I had little leisure, and less inclination, to trouble myself with nice distinctions between the social and moral duties. Indeed, I considered them as of little consequence to the perfection of the Man Machine, recollecting that nothing but self-love, properly regulated, was necessary to the most perfect virtue and happiness. Now I had as much self-love as most people, and as my master had laid it down as the so very excellent a thing, I thought as a matter of course, the more I had, and the more I indulged it, the better for myself and the world. I soon found, however, there was little or no room for cultivating and indulging this excellent fundamental principle of happiness. I had a natural inclination for good eating, and my self-love was always particularly gratified, by playing with children somewhat smaller than myself, over whom I could exercise a reasonable degree of influence and authority. This propensity to ambition, was, however, carefully checked during the play hours, when we were superintended by certain worthy old ladies, who taught us, that the only ambition compatible with a well regulated self-love, and the perfecti-

bility of the Man Machine, was that of labouring most advantageously for our master. As this was a community of which the most perfect equality was to be the basis; it would be highly improper, they said, to attempt any undue exercise of talents or energy. It would be only generating envy, jealousy, and all those passions which had been the bane of society, ever since the serpent seduced Eve, with the temptation of superior knowledge.

As the whole system of our master proceeded upon the assumption, that the Man Machine was as much without passions as a steam engine, and that they were generated in him by the abominable mode of education inflicted upon each succeeding race, for the last six thousand years, he organized the system accordingly. All the children, being of course born without passions or desires, it was his opinion that it was only necessary to tell them to do right, and they would do it of course. We were accordingly very seriously told, what all children, so far as I know, have been told from the creation of the world, "that we were never to injure our play-fellows, but on the contrary to contribute all in our power to make them happy." "This principle," would our master say with infinite self-complacency—"this principle, this simple precept, when properly comprehended, if no COUNTERACTING PRINCIPLES oppose its influence, will

effectually supersede all the errors which have hitherto kept the world in ignorance and misery."*

But these "counteracting principles," as our master called them, and which I suspect were nothing more than those passions which are supposed by some ignorant people to be implanted in human nature, were always getting between his legs, as it were, and tripping up his theory. Emulation was continually peeping forth, in one wicked little rogue outrunning another, and thus mortifying his feelings. In wrestling, the stronger machine was very apt to impose upon the weaker, by throwing it down with as little ceremony as possible. At leap-frog, a mischievous urchin would sometimes designedly bump a little fellow down on his nose, by not leaping high enough. In short, these "counteracting principles" were so troublesome and inconvenient, that my master more than once wished them fairly at the d——l, they stood so in the way of the perfectibility of the Man Machine.

My master was indeed sometimes highly provoked at these "counteracting principles," thus eternally thrusting their noses into his plan of perfectibility. It puzzled him confoundedly to find where his theory was out at the elbows. At last he discovered that his children were not young enough to give his

* See New View of Society for similar doctrines.—Ed.

system a fair chance. It was his opinion that children received those impressions which give a decided direction to their future character, almost the moment they are born. Nay, he went still further, and maintained, with great appearance of reason, that they took special notice of every thing that happened at the time, he himself recollecting perfectly well, being very much alarmed, when the nurse first took him in her arms, least she should let him fall on the floor.

Accordingly he determined to go to the fountain head, by introducing into the establishment the institution of matrimony, and having the children begotten to his hands. "I shall take them *ab ovo*," said he, a phrase of which I have since learned the meaning, although at that time I did not exactly comprehend it. The first born of this new and perfect race in perspective, was a little boy, who from the moment of his birth was allowed to hear nothing but the repetition of the great precept, not to harm his play-fellows, but to do all in his power to make them happy. At three years old he was launched into the play ground, and made his debut by biting the finger of one of the matrons who presided over our sports, and who attempted forcibly to keep him from indulging the instinct of the Man Machine, for dabbling in a mud-puddle. Our master cast

about for the "counteracting principle" that had produced this enormity, that he might give it a sound drubbing, and to his great satisfaction discovered it in a habit, which the mother had a long time indulged, of biting her nails. This practice was strictly forbidden; but as one of the fundamental principles of my master was, that no punishments were necessary to keep the Man Machine in order, any more than the steam engine, nobody minded the prohibition, and the women bit their nails, as usual, when vexed or perplexed. Notwithstanding the all-powerful precept which lays at the root of the perfectibility of the Man Machine, and which was not spared upon the little biting boy, there was some "counteracting principle" which certainly baffled detection, or at least opposition. By the time he was twelve years old the machine became so completely out of order, that my master turned him out of the establishment as a disgrace to his theory.

Still the plan of inculcating perfection into the Man Machine, by play, would certainly have answered the end completely had it not been for two "counteracting principles." The first, was those same inconvenient products of that erroneous system of education pursued for the last six thousand years, which my master called circumstances, and which, coming perpetually

in conflict with his first principles, for a long time pretty generally got the better, and routed them completely. To subdue these entirely, or to direct them uniformly to the furtherance of that self-love, which is the source of all virtue and happiness, was found rather of the nature of an impossibility. The second "counteracting principle" was, that the little pupils of the play ground, by having their plays always prescribed to them, and by being eternally under the eyes of the superintending matrons, who were perpetually telling them not to do this and to refrain from that—who were in fact always standing over them, repressing their gambols, directing their sports and restraining entirely the free will of the Man Machine, became at last entirely indifferent, or rather frequently declined going out to play. When they did, they preferred sitting quietly still, rather than be perpetually restrained, lectured, advised and dosed with the eternal repetition of the grand precept. The consequence was, there was no room for the practical exemplification of the virtues of the system, at play. For my part, although I was principally confined to the spinning jenney for instruction, I freely confess that such was the weariness of mind and lassitude of body, produced by this mode of eternal supervision over our hours of relaxation, that it became

a task at last from which I was glad to escape by sleeping away my play hours. But notwithstanding all these discouragements, the practicability of the system ere long began to be fully exemplified. There was one little machine that was at last brought, if not quite, very nearly, to perfection. Owing to the absence of those "counteracting principles" which played the deuce with most of the pupils, this little machine, at last became so completely regulated, that my master pronounced it almost as perfect as the machinery of a cotton mill. If he had a task to do, he was sure to do it exactly, and no more. If he was told to go to a certain place, he could no more be brought to go a step further than a horse in a mill or a turnspit at the jack. He never discovered any disposition to excel his companions in their sports or their exercises—never did any thing but what he was told—never committed an offence—never resented an affront—but always appealed to the golden rule. In short, he seemed happily free from the operation of those mischievous "counteracting principles," erroneously called the passions. If my master could only have made us all exactly like him, we should have represented the millennium. But unfortunately there were as yet too many "counteracting principles" among us, to admit of universal "HARMONY," and the per-

fect Man Machine fared but indifferently. He was a sort of butt, and instead of righting his own wrongs, always carried his complaints to the matrons. This got him the name of tell-tale, and the ill will of his fellows. My master considered him as a living evidence of the triumph of his system, and at length when he grew up, made him one of his "committee of management" or supreme junta. In the course of his performance of the duties of this new station, he one day had occasion to walk to a neighbouring town, on his way to which he met a wagon, and not having my master, or one of the matrons, to tell him what to do, suffered it to walk right over him, while he was considering the matter. He was the first perfect Man Machine I ever saw, and my master ever afterwards held him up as an example.

I had now reached the age of eighteen; but I must confess that my machinery was not a little out of order. The perpetual routine of the same employments—the want of those excitements, or rather a field where the excitements of emulation, ambition, desire of riches and distinction, might bestir themselves, became at first irksome, then stupifying. My faculties sunk into a benumbing apathy, for want of exercise—and my personal activity expired under the drudgery of the same daily task, neither more or less, that I had to per-

form as my contribution to the state of perfectibility. Still I was fully persuaded that the system was practicable, and that its operation would certainly produce the perfection of the Man Machine, were it not for the unlucky force of those "counteracting principles" which beset it on every side. Nothing, I was convinced, but those vile passions, which are not natural, but absolutely forced upon us, by a preposterous system of education for six thousand years past, could possibly prevent its ultimate and final consummation, in the perfection of the Man Machine.

But unfortunately these impertinent and troublesome passions, are always nestling about one's heart, and playing the most intolerable pranks with our machinery. In process of time there grew up some young girls in our establishment, and I was moved with a desire to marry. There was, it is true, the most perfect equality reigning among us, together with a perfect community of interests. But it unluckily happened that, owing to some "counteracting principle" or other, the machinery of some of these damsels was better constructed, more highly finished, and somewhat more sightly than that of others. There was one especially who was so superior to the rest that she played the mischief with my master's system of equality. All the young fellows were anxious to marry her; and as

there was no community of goods allowed here, my master's old enemies, the "counteracting principles," began to bestir themselves with great activity. In vain he represented to us that it was only the mischievous influence of these villains that made us think one woman better than another—that it was their equally villainous coadjutors, the five senses, and the rest of the gang of countervailing circumstances, that assisted in leading us to the preposterous conclusion, that it was necessary to our happiness we should marry this pretty girl. All would not do—we quarrelled about it—fought about it—and the machinery of the whole establishment was at times thrown into great confusion.

My master's indefatigable enemies, the "counteracting principles," were in fact continually at work, throwing stumbling-blocks in the way of our perfectibility, and going about like roaring lions among us. It was enough to provoke a saint to see how they succeeded for a time in thwarting the success of my master's plans, for the harmony of the universe. The great difficulty was to produce that perfect state of equality which would preclude all possibility of one machine envying another. Now it happened unfortunately that this perfect equality, and this perfect community of goods, which were both so essential to the perfection of the system, proved for a long time very difficult to preserve.

The least breath ripples even the stagnant pool, and renders the surface unequal, and the least "circumstance," was sufficient to create jealousies and rivalships among us, until by degrees, we quietly sunk into a calm acquiescence to the will of the committee of management, and acquired a habit of perfect submission, which is one of the principal ingredients in the pure state of perfectibility.

It was thus in our community. Although their rights and their duties were all equal—and all equally shared in the common fund in proportion to their labours; still, as those who had laboured in the community ten years, had of course twice the stake in the common fund of those who had only laboured five, this single counteracting circumstance produced a broad and palpable inequality. Accordingly a lady whose husband had twice the claim on the great fund, did not fail to look down on one who had not a claim to half as much. She valued herself on her fortune, just as if it had been in her own possession, and for aught I could see, the passions engendered by this species of inequality were precisely those of the world, in the degraded state it has been brought to, by the "erroneous training"* of the last six thousand years. Nay, I

* The author of the "New View" has borrowed this phrase. Ed.

am sorry to say, they seemed far more bitter and malignant, from the parties being continually as it were under the same roof, and brought together many times a day, every day of their lives. But even if this provoking inequality had not existed, there were other "counteracting principles," which assailed the Man Machine, from different quarters, and occasionally put it out of order.

It sometimes happened, that one member of the community by the regularity of his machine, and by being perhaps less beset by those intolerable rascals, the "counteracting principles," would by a course of conduct as regular as clock-work, entitle himself to the special notice and rewards of our master. This approach to perfectibility in the Man Machine, instead of operating as an example and stimulus to others, as it would have done but for the "counteracting principles," produced only disorder. Every body was jealous of the unfortunate Man Machine who had approached so much nearer to perfectibility than themselves—instead of imitating, they envied him, not his perfectibility, but the particular honours and rewards he acquired. To be sure it is just so in the world, where the "counteracting principles" go about like roaring lions; but it ought not to have been so in our new state of society; and that it was so, is to me quite unaccountable.

I speak from my own experience. My ambition, which I take to be one of the "counteracting principles," at length prompted me to put my machinery in order, and make a dash at perfectibility, that I might obtain the particular notice of my master, and perhaps something more substantial. I succeeded, and became the most miserable dog in the community. I had upset the beautiful system of equality, upon which the whole establishment rested; I was no longer their equal, and they began to envy, of course to hate me, by the mere force of the "counteracting circumstances." To make my peace with these pragmatical machines, and to restore the equilibrium of the society, I was actually obliged to backslide a little in order to bring myself down to the dead level of perfectibility. Thus I found to my great mortification, that individual perfectibility, was incompatible with the perfectibility of the whole, and that the only way to preserve "HARMONY" was to be no better than other people.

The rascally "counteracting principles," received aid and assistance from other sources, besides the inequality of wealth, and the different estimation in which different persons were held by the society at large, and especially by our master. Some of the married women, had prettier children than others—and this was a source of inequality.

Some were without any children at all, and sorely envied their more happy next door neighbours, whose pretty little curly pated machines, were playing themselves into perfectibility on the lawn, before their doors. On the other hand, some of the men had better, younger, or prettier wives than others, who not being specially instructed in such matters, did frequently break the tenth commandment. My master was, in truth, for a long while the victim of "counteracting circumstances;" he at one time, as I have heard, had serious thoughts of cutting off all the women's noses, to bring them to a level, and so organizing his men and women machines, by the mere force of education, as that they should conform to the law of nature which ordains, that every bird shall lay only so many eggs within a certain period. He had no doubt of bringing this about, if he could only begin *ab ovo*, and dodge his old enemies the "counteracting circumstances."

But he was for some time deterred from this plan by the astounding objection that, though he might regulate the number of children, it would be difficult, if not impossible, to regulate their looks, and prevent one from being handsomer than another. He had no doubt that nature produced none of these ridiculous inconsistencies, but that they were the offspring of that diabolical system of education under which mankind had groaned for the

last six thousand years. "Some pigs," quoth he, "are, it is true, handsomer than others—but then the pig is sophisticated by associating with man, and suffering under the influence of the counteracting circumstances. Doubtless all young wild boars are perfectly equal in a state of nature. I will inquire into these matters." His inquiries ended, I imagine, in conviction, for he attempted some reforms in these matters; which caused so much dissatisfaction among our women, that they came near seceding in a body, and thus putting an end to all prospect of the perfectibility of mankind. My master accordingly gave up the point, satisfied that though he might regulate the man machine to some little purpose, the woman machine, was too much under the influence of the "counteracting principles," ever to become perfect, without an entire new organization.

Scarcely had this danger blown over, when a dispute occurred, which again threatened the destruction of our "HARMONY" and the prospective perfectibility of mankind. This affair unfortunately originated in too near an approach to the perfect system of equality contemplated by my master. There were two married women, living in opposite sides of the square which formed our village, whose circumstances, situation, husbands, children, characters and persons were so singularly equal in all

respects, that they hated each other mortally, for no other reason that I could ever learn than because their pretensions were so equally balanced, that the rest of the community could never agree as to which was entitled to be considered the most happy. What was still more provoking, as there were no reasonable grounds of quarrel between them, and nothing to complain of, they were obliged to take it out in civil speeches. In this state of affairs, one of them luckily discovered, that her best room fronted north, while that of her rival looked to the south, and consequently monopolized all her sunshine, great part of the year. Here was a manifest hole in the elbows of my master's great system of equality. There was no dividing the sunshine equally among mankind. He might have altered his village, so as to make the whole of it front south: but his whole system so completely hung on the shape of his village, that it would have fallen to the ground, on the least hint of an alteration. He was horribly puzzled by this counteracting circumstance.

In the mean time, a northern and southern interest sprung up among us, such as prevails in some countries, and founded upon equally important differences. The lady of the north front had her faction, which held firmly to the principle, that there was a manifest partiality in favour of

the lady of the south front; while the lady of the south front had also her friends, who swore roundly that they could perceive a leaning in favour of her of the north. Each had her party, whose clamour was exactly loud in proportion to the insignificance of the occasion, the few causes of excitement among us, and the narrow sphere in which they were exercised. In short, there was the deuce to pay among the Men Machines, the Women Machines, the first principles, and the "counteracting circumstances," which all pulled different ways, so that my master hardly knew which way to turn himself to get rid of these implacable enemies. He was inclined to suspect at one time, that it might be possible to shave the chin of equality so close as actually to draw blood from the patient, who, though his beard might be all of equal length, might be himself in a humour to knock him down. But he was not a man to knock under to "counteracting circumstances," nor any such saucy fellows, while there was the remotest prospect, to use his own words, "of making one woman to do the work of twenty,"* "of improving man as an instrument of labour,"† "and training

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* See "New View of Society" for similar expressions.—Ed.

† Ibid.

him so as to produce a large increase of pecuniary gain," "a return not less than fifty per cent.,"* on all the investments and expenditures for the improvement of the Man Machine.

But these pestilent villains, the "counteracting circumstances," were not so easily managed as might be expected. They had in the long period of six thousand years, in which the Man Machine has been debauched and corrupted by education, insomuch that it is a thousand miracles that his machinery is not irretrievably out of order—I say, they had acquired such power, and withal such a thorough knowledge of the Man Machine, that as fast as they were driven out of one door they popped in at another. Nay, if the doors were all shut they climbed in at the window, and if there was no window, they managed to squeeze themselves through the keyhole. Thus in the case of the two ladies of the northern and southern exposure; my master had no sooner quieted the two factions, by demonstrating that to be out of the sun in summer, was equal to being in it in winter, when the "counteracting circumstances," like vile traitors as they were, changed sides before you could say Jack Robin-

* See "New View of Society" for similar expressions.—Ed.

son, and the Men Machines forthwith fell into a great quarrel, about which party would have been in the right, provided the case had stood as they originally apprehended. As to the two ladies, they hated each other worse than ever, when they found my master had decided there was not a toss up of copper between them. "Marry come up, my dirty cousin," exclaimed each of the other—"I should be very sorry if I was no better than I should be."

But I have not come to the worst yet. Not only the wicked "counteracting principles," played pranks with my master, but it sometimes unluckily happened that his own principles would turn upon him, and show their teeth terribly. For example, it was easy to comprehend the simple principle of self-love, which, as I have said, constituted the great *primum mobile* of the Man Machine, according to my master's theory. But to apply it successfully to the attainment of the great end of perfectibility was a different affair. When the good man talked to them about the absolute necessity of attending exclusively "*to the happiness of self*,"* as the only means of promoting the happiness of the community, they were extremely apt to comprehend this,

* See "New View of Society," p. 18, for similar doctrines.

as not only a permission, but an exhortation, to follow the bent of their passions and appetites, or in other words, the "counteracting principles," without any regard to the happiness of others, taking for granted that would come as a matter of course. My master in vain attempted to set the Man Machine going according to the nice adjustment of the self-love and social principles. The one was perpetually getting the better of the other, being a hot-headed self-willed rascal, and withal a great bully; while the other had hardly a word to say for itself. It was in vain to threaten an appeal to the laws, for as there was to be no crimes in our community, there was no necessity for restraints or punishments.

I will give an example here, of the terrible blunders some of us made, in the application of this grand fundamental principle of my master, whose whole system, I am convinced, was perfect, except that it was not calculated for the particular kind of Men Machines, he had to do with. These have been so bedeviled, by the horrible system of education pursued for the last six thousand years, that I question whether it will not take at least six thousand years more, to put their machinery in perfect order. But to my example.

There was among us, a wild, sprightly man machine, which, owing to being as it were, under high

steam pressure, was continually getting into the claws of the "counteracting principles," and making sad misapplications of my master's precepts. It was next to impossible to bring his passions and appetites under the dominion of metaphysicks, or to instil into him a proper comprehension of the great abstract truth, that the indulgence of our self-love, consists in restraining it. One day my master brought him up before us all, for the purpose of lecturing him for the benefit of the community.

"Well, Sandy," quoth my master, mildly, "I am afraid I shall never be able to make a perfect machine of you."

"How so, sir," replied Sandy.

"Why, you are continually violating the sublime fundamental principle of self-love."

"I don't know how that can be, sir, for I do all I can to gratify it, as you have convinced me it is my duty to do."

"Yes, but you did not properly comprehend me. The self-love I mean, is the sacrifice of our wishes and desires to those of others—it is in fact the absence of all self-love."

"Why did you not tell us so at first," said Sandy, rather sulkily—"I'm sure I should never have thought that it was possible a thing could be exactly what it is not."

"That doubt is owing to the imperfection of our sophisticated nature, which cannot comprehend the sublime truth, that man is a machine, originally constructed with a due regard to the two great moving principles of matter, the centripetal and the centrifugal forces. By the first, his passions, appetites, wants, wishes, desires, and gratifications, are perpetually urging towards the centre, thus exclusively concentrating in his own individual gratification. By the second, a continued endeavour is made to resist and overpower the first, by forcing or attracting the passions and appetites from this disposition towards the centre, or self, and giving them a wider and more beneficial sphere of indulgence. It is in the proper balancing and restraining the centripetal force of the passions, by the interposition of the centrifugal, that these, the gratification of which is the grand object of *self-love*, become the foundation of all worldly happiness, and constitute the perfect state of the Man Machine."

This confounding of matter and spirit, and jumbling together the ideas of mechanical, physical and moral action, was what always puzzled us, and gave an air of incomprehensibility to my master's theories. The Man Machine Sandy, was at first either convinced, or confounded, I hardly know which; but he soon rallied again, and to say the

truth, I sometimes was half inclined to think his common sense pretty nearly put my master to a dead halt.

"You have exactly hit upon my case, sir, and the very difficulty that prevents me from becoming a perfect machine in the shortest time possible. Somehow or other, I can't get this same centrifugal force, my master talks of, to do its duty. It is a lazy, lounging, indifferent principle, that is half the time asleep while the other is as busy as a bee, and some way or other, manages to get the better nine times in ten. My good wishes, instead of going abroad now and then, as they should do, are almost always attracted to the centre by that rascally centripetal gentleman you mentioned."

"That is because you don't suffer my fundamental principles to operate upon you properly; and wilfully resist the natural and inevitable result of a perfect system of education, which can be nothing less than a perfect state of the Man Machine."

"Indeed, sir, I don't—I try all I can to love myself in the proper manner; and to be persuaded that perfection is as easy as kiss your hand. But somehow or other, I confess I do love Jenny better than Kate—and the centripetal principle especially moves my self-love to prefer kissing her, to seeing any body else do it."

"Out upon you," exclaimed my master—"this is all owing to the counteracting principles."

"What are they, sir. I confess I never could fairly understand them."

"Why—hem—why—ha—he—hum"—my master appeared a little puzzled here—"Why the counteracting principles are a sort of—a kind of—stumbling blocks, which education, habit, and bad systems have thrown in the way of the perfectibility of man. In short, they are what I call—*circumstances*."

"I reckon you mean the wants, desires, and passions of us Men Machines," quoth Sandy.

"And I reckon you are a great blockhead," exclaimed my master—"How often have I told you that the Man Machine has naturally, neither wants, desires or passions—They are the product of that erroneous training which has produced all the miseries and inconsistencies of this world."

"What! no passions, sir?"

"None—not an atom more than a piece of calves-foot jelly."

"Why, Lord bless you, sir, I always heard say, that if we had no passions, desires, and all that sort of thing, we should be without any motives of action whatever."

"Pooh—self-love would keep us going."

"But what is this self-love, sir?"

"A bundle of circumstances," quoth my master.

"I reckon its a bundle of passions," quoth Sandy.

"And I reckon thou art a confirmed, incorrigible, irreclaimable blockhead of a Man Machine," cried my master in a great passion—"I say, sir, may the d——l take thee for a sophisticated idiot—I affirm that man is born without passions—that there are no such scoundrels in the creation—that they are nothing but circumstances—circumstances, sir—counteracting principles—counteracting principles, sir—which an erroneous system of education has conjured up to the confusion of all those who labour for the perfectibility of the Man Machine."

Hereupon my master seized Sandy by the shoulders, and would have thrust him forth from the community had he not offered to acknowledge the supremacy of "circumstances," to knock under to the "counteracting principles," and swear there were no such villains as the passions in this world.

"After all," quoth Sandy, a little doggedly—"after all, thank fortune, I am not answerable either for my opinions or my actions."

"Not answerable!—I'll make you know to the contrary, sirrah."

"No, sir—you tell us every day that the will of man has no power over his opinions, and that it is therefore absurd to make him accountable for his

errors. You teach us, that children have no control over their early education, which is conducted uniformly upon mischievous principles—that they are not only taught to think and reason wrong, but actually to commit those crimes for which they are afterwards punished—that, therefore, when they grow up they cannot be justly charged either with the errors of their opinions or the wickedness of their actions.* I thank my stars, therefore, that if I think or act wrong, my teachers are to blame, not I."

Here was the mischief to pay again among the "counteracting principles," which thus turned short upon my master, and bit him shrewdly. His first and great principle, that the errors and inconsistencies of men proceeded entirely from an erroneous system of education, and that they were therefore not accountable for them, here did him the worst office that could be. It convicted him, in the sight of the whole community, of getting in a passion contrary to fundamental principles, and that the man who professed to teach perfectiblity was himself imperfect.

He might as well attempt, thought I, to teach music without understanding the gamut. But

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* See "New View of Society," pp. 63, &c. &c. for similar doctrines.

this was a momentary doubt, which soon yielded to the force of habit, and I still continued to think my master a perfect Man Machine, although the "counteracting principles" were sometimes permitted to assail him, as Satan did Job, merely to try his patience.

The Man Machine Sandy continued to exemplify from time to time the influence of the centripetal force, and the mischievous activity of the counteracting principles. He was perpetually demonstrating the notion of my master, concerning the diabolical errors of an erroneous system of education. But these errors being, according to his theory, not his fault, but that of his parents who were both dead, could not be punished without a terrible perversion of justice. To compromise matters as well as he could, my master at length dismissed him into the wide world, where, as I afterwards learned, the poor fellow, acting upon the principle of not being accountable for his opinions or actions, appropriated to himself certain bank notes that did not belong to him, and was hanged in defiance of all the rules of justice, as well as in utter disregard to the sublime notion of a community of goods.

In the course of my master's experiments upon the Man Machine, there were a great many machines that left the establishment, or were turned away for being too much under the influence of the counteracting principles. They took with them

their share of the common stock which had accumulated during their induction into the mysteries of perfectibility; but somehow or other there were so many deductions, for this, that and the other matter, that the Men Machines complained loudly at the smallness of their dividend. But there was no help for it; for my master's system proceeded entirely upon the principle, that as the Men Machines who presided over this perfect establishment, must of necessity be entirely and exclusively perfect in themselves, there was no necessity to guard their administration of the public fund, with that jealous circumspection requisite towards less perfect rulers, in a less perfect system.

Upon the whole, however, our community sustained its numbers pretty well. The children that were born, and the recruits that came in from time to time, prevented any apparent diminution. For my part I had no inclination to leave the establishment. I had at last become a model, as my master assured me, of a perfect Man Machine. I had neither virtues to exercise, nor counteracting principles to lead me astray. I worked my task as regularly as the spinning jenney went through hers: I ate like a machine, at a particular time—I slept by rule, rose by rule, and did every thing by rule. In short, I did every thing like a perfect machine of a man. In process of time our whole community also arrived at a perfectibility that was truly asto-

nishing, considering its apparent impossibility. It might be said that we had neither virtues nor vices, at least there was neither room for the exercises of the one, nor excitement for the indulgence of the other. There is no doubt that we all became quite perfect.

My master valued himself exceedingly at having at last got completely the upper hand of his old enemies, the counteracting circumstances. He had not the least doubt but that his system would in a little time be universally adopted, and that there would then be no further use for law or gospel in this perfect state of society. But of all the pieces of machinery ever invented, the most wayward, perverse, and inconsistent beyond all doubt is the Man Machine. No sooner does it become perfect, but it begins to decay, grows rickety and good for nothing. At least so it was with the machinery of our establishment. Our perfectibility at last centered exclusively in the performance of our daily duties. These consisted in working at our tasks regularly—eating, drinking, sleeping regularly—and in fact doing every thing we had to do with a regularity becoming perfect machines. Every thing was in common; therefore no one was in want; and therefore there was no room for the exercise of charity and benevolence. The children were all taken care of by the community, and the aged and sick were nursed and sustained by persons expressly ap-

pointed to superintend them—the relative duties of parent and child, were therefore of little consequence among us, and were seldom or ever called into exercise. In short, as the system of our society was so perfect as not to require the cement of mutual wants, mutual weaknesses, and mutual dependence, there was no room, nor indeed any occasion, for the exercise of the social virtues, except so far as they are negatively exercised in refraining from actual violence or injury.

Again, as the perfection of my master's system, and of his Men Machines, consisted in the total absence of the passions, or rather the annihilation of the counteracting principles, it is obvious that this could only be brought about by the absence of those excitements which stimulate them into rebellion. In removing these, it was requisite, or rather it was unavoidable, that most if not all the motives for any extraordinary exertion of talent, or vigorous exercise of the intellect, should be wanting. Our talents, therefore, as well as our virtues, soon became rusty for want of exercise. Our master and the committee of management,* were the only persons to whom the exercise of any but the working faculty, was at all necessary. They

* See New View of Society, Constitution, Laws, &c. for similar provisions.

thought for us, and they acted for us. They made the laws, and they administered them. They took care of our morals, our manners, and our money, while we, thrice happy machines, had nothing to do but move ourselves about, with all the regularity of a spinning jenney—we worked by rule, ate by rule, slept by rule, and were as merry as so many cabbages, growing in regular lines. As the endeavour to excel our companions, in any thing but work, would have savoured of a design to overturn the perfect system of equality, all such unseemly ambition was studiously repressed as one of the mischievous counteracting principles which it was necessary to put down in the most summary manner. As there was no such thing as exclusive property in our community, and even a man's soul could not be called his own, being under the exclusive direction of my master's first principles—the passion of avarice, or the desire of accumulation, had certainly less influence over us, and we worked solely for the good of the whole. It is true we did not labour with that spirit and alacrity men do when they are labouring for themselves, but from a habit acquired by the machine, which went its regular course day after day. But this, my master considered as the highest proof of perfectibility, which properly understood, consisted in doing every thing necessary to the happiness of the community not from a sense of duty

but from a habit acquired by the Man Machine. "It is much better," would my master say. "to do good from habit than impulse, sentiment. or feeling, which are such capricious rascals they can never be depended upon." On the whole there is no doubt but we actually became perfect machines. We believed in all my master's first principles—in the encouragement of crime for the last six thousand years, by an erroneous system of education—in the non-accountability of man for his opinions or actions—in the wickedness of punishing crimes—the division of labour—the community of goods—the perfect equality, and above all, in the committee of management. If this was not perfection, I believe there is no such thing in this world.

But scarcely had my master demonstrated the great truths of the New View of Society, and made his Men Machines quite perfect in their evolutions, when his old enemies the counteracting principles, rallied again, and became as troublesome as ever. My master in a little time discovered, that though it was quite easy to make the Men Machines perfect, it was not quite so easy to keep them so. As the inanimate machine becomes rickety, out of order, and wears out in time, so does the animated machine called man, continually give way to that mischievous counteracting principle, called backsliding. Scarcely therefore were the great counter-

acting principles, of ambition, love of glory, and desire of knowledge, thus totally subdued, than the lesser and more ignoble ones began to cut a figure, like corporals and sergeant-majors, in the absence of the commanding officers. The counteracting principle of envy, the most grovelling, contemptible, and at the same time, the most malignant, began to erect itself, and to do the duty of half a dozen others, in sowing the seeds of dissolution in the perfect system of society. Experience, as I sometimes thought, gradually developed a truth that my master had left out in his catalogue of counteracting circumstances, to wit, that it is utterly impossible to place the Man Machine in any situation where he is out of the reach of the "counteracting principles." On a desert island, said I, mentally, in my moments of disappointment, where no other human being exists, it actually seems that he will envy his fellow men the enjoyment of social intercourse, and the birds the wings that enable them to go whither they will, while he is confined to his solitude. Place him in a dungeon, and, I dare say, he will envy others the enjoyment of air, exercise, and free action. Place him in beggary, and he will very likely envy the dog his bone—and place him on a throne, he will envy the poorest peasant his ruddy health and active limbs. Wherever there is inequality of any kind, there, as it would seem, will envy subsist—and if it were pos-

sible to produce the most perfect equality in physical and mental qualities—in every species of possession—in all that Providence can bestow upon man, I could almost swear there would still be the same necessity for the ten commandments as the rules of our actions, and of laws to enforce them, that there is at this moment. Yet for all this you are not to suppose that I have ever doubted, except in momentary intervals of vexation or disappointment, the possibility of introducing a universal state of perfectibility into this world, provided it is not destroyed too soon to give my master's first principles a fair chance of operating upon the Men Machines. How long did mankind go on patiently doing the work of steam engines and spinning jenneys, until an inspired nobleman suggested the idea of the one, and an inspired barber demonstrated the possibility of the other? Ages elapsed from the first suggestion of the application of the power of steam to mechanical purposes, and the application itself—and still other ages, before the machine was perfected. Can we then expect that the Man Machine, equally complicated in its mechanical organization, will all at once spring into perfection? No, my friends; as the nice skill of the moulder labours whole days to prepare for the perfect casting, so must the nice skill of the reformer labour whole years, not to say centuries, to produce the perfect man. Nothing,

I am convinced, is necessary to the perfectibility of the human machine, but the same labour and perseverance which has perfected the steam engine and cotton machinery, co-operating with the proper application of "circmstances" and the absence of the rascally "counteracting principles." Then, gentlemen—then there will be no further occasion for laws or religion—punishments or rewards—potentates or presidents,—the whole universe will be governed by "A COMMITTEE OF MANAGEMENT," of which I expect to be treasurer, and then—

> "Hey diddle diddle, the cat and the fiddle,
> "The cow jumped over the moon"—

Here the Man Machine jumped up and began to caper about till he came nigh oversetting the bowl, and putting an end to the perfectibility of man at once. It was some time before he recovered his gravity sufficiently to proceed, as follows:—

But however this may be, I must confess that besides the little malignant counteracting principle of envy, which is ever the substitute of emulation and ambition, there were certain other "circumstances," as my master called them, such as those unnaturally natural appetites, or instincts, which, however trifling and contemptible, like rats and mice on board a ship, often endangered his whole system. These were perpetually thrusting themselves forward in the disguise of a preference of

beauty to deformity—of light hair to dark—of blue eyes to black—of youth to age—of fair to brown, and of brown to fair. Sometimes two machines would agree in their preferences, and this agreement at once gave play to a whole train of counteracting circumstances, which caused my master infinite trouble and vexation. At other times two machines would differ about what my master in his New View of Society, had expressly stipulated there should be no difference about. For instance, one was a presbyterian, another an episcopalian, and another had no religion at all. This was sufficient for argument, which on such subjects generally becomes contention, and often abuse. In the great and good-for-nothing old system of society which subsists in the world, where the excitements to the passions are divided and subdivided almost to infinity, such disputes are easily forgotten and forgiven, except among those whose interest it is to keep up the antipathy of sects. But in our community, we had so few causes of excitement, that one answered the end of the whole, and seemed to concentrate within itself the fury of all the passions. No matter therefore what was the cause, however insignificant, it produced the same effects. The perfect Man Machine who saw his neighbour machine receive particular notice or approbation from my master, envied as bitterly as the courtier who sees his rival

supersede him in the favour of the king. My master lectured away, on the sublime principle of self-love, but it all would not do. That incomprehensible scoundrel, human nature, seemed to set his face against him; and it happened too often that the man of nature, aided by the rascally counteracting circumstances, got the better of the Man Machine and caused him to backslide exceedingly.

But my master did not despair, for amidst all these discouraging circumstances, the common fund increased, and the committee of management had every year a larger amount of property to manage—for the community. But for my part, I began to be discouraged—not that the reflections I have just now made, occurred to me at that time; they are the product of succeeding experience in the great world. I firmly believed, and believe still, that the fault of all this was not in my master's system, but in human nature, that is to say, human nature debased and corrupted by six thousand years of "erroneous training," as my master called it.

"Rome was not built in a day," said my master one time—"and a system of six thousand years can only be completely routed by a counteracting system of equal duration. I shall not live to see it—but it will certainly happen; if my system is pursued six thousand years it will become

completely successful. I will not despair. And who knows after all what may happen? Who knows but the moral perfectibility may bring about the mechanical perfectibility of the Man Machine. If my system can only prevent, as I have proved it can, for a time, the commission of all sin, then of course there will be no necessity for future rewards and punishments, and as a natural consequence no necessity for a man to die. Who knows but I may live long enough to see the millennium? It is only applying the principle of perpetual motion to the Man Machine."

My master was highly delighted with this new light, and went on with new hopes and spirits. He was quite sure his Men Machines had been perfect, at least for an hour or two, and though they had afterwards got a little out of order he had fairly established his principle, that they were susceptible of absolute perfectibility. All therefore that was necessary was to make this perfectibility everlasting, and this could only be done by operating upon a long succession of generations of Men Machines. So he held faster to his system than ever, and so did I. Indeed I had no doubt that each succeeding race of our community, provided they were properly trained, and the counteracting principles could be kept down, would approach nearer and nearer to the perfect state, and at length reach it permanently at last.

Nay, I carried my anticipations so far as to calculate that in the course of three or four centuries, at farthest, our surplus fund would increase to such an extent as to enable my master, if he lived so long, to purchase all the land in the kingdom, and thus make perfect Men Machines of all my countrymen by actually buying them up as we do other machinery.

But alas!—one of my master's old and desperate enemies, was destined, by that envious Providence which, as it would seem, could not bear to see a vile system which it had permitted to exist for six thousand years, routed by his New View of Society, to destroy all my anticipations in the bud. My master had unaccountably forgot, that in order to make his system complete, it was necessary that the rulers as well as the people should be equally perfect. A reciprocity of perfection was indispensable. But here my master's system was terribly out at the elbows, and presented a signal example of the extreme difficulty of introducing perfection into this world, or in other words, of reconciling impossibilities. It is obvious that the Men Machines, having the management of the surplus fund—the buying and selling—in fact, every thing connected with the pecuniary affairs of the community, must of necessity mix with the world and become acquainted with the value of money, the arts of bargaining, and other matters indispensable

to a judicious superintendence of our fund. They would therefore be assailed not only by the bad examples of people educated in that "erroneous system" which has prevailed for six thousand years, but also by all those temptations, or "counteracting principles," which constitute what are called the seductions of the great world. It is hardly possible, therefore, but that their machinery should get more or less out of order, and they themselves backslide from the summit of perfectibility.

Thus it happened that the treasurer of our establishment, who, at the time of his election, was considered the most perfect Man Machine amongst us, being assailed by the "counteracting principle" called a love of money, and by the other "counteracting principle," the desire of appropriating other people's property to his own use, played us all a saucy trick. He fell from grace —his machinery got terribly out of order; and he backslided into a far country with nearly the whole proceeds of the surplus fund we had been labouring to accumulate for years. The committee of management ran after the treasurer—my master ran after the committee, and we were left alone like so many babes howling in the wilderness. Having been so long in leading strings, not one of us could walk alone, and it became sufficiently evident that after all, the perfectibility of the system entirely depended, not upon our-

selves, but upon a runaway treasurer, a runaway committee, and a runaway reformer. From the mere force of habit our machinery continued to perform its task—to eat and sleep, to rise in the morning and lie down at night—but the rest was all a vacuum—a blank—a state of absolute perfectibility, produced by a state of stagnation.

In process of time my master, who was perfectly innocent of all participation in the fraud of that infamous Man Machine, the treasurer, except in so far as he had not sufficiently provided against the influence of the "counteracting circumstances," returned from an unsuccessful pursuit of many hundred miles. We had now the world to begin again. But to say the truth, perfectibility is such a horrid dull thing, and there was such a want, a total absence of the charm of variety in our lives and occupations, that for some time past a great portion of our community had hung loose upon the establishment. It was only the cement of the "surplus fund," that kept them together, and that being gone they longed like children, for such in fact they were in knowledge of the world, to go forth and see its distant wonders. In one word, they sighed for that freedom of will, that release from eternal restraint—eternal supervision—and eternal monotony, which they were obliged to submit to, in order to arrive at perfection. The idea of freedom was so exquisitely grateful, that they forgot their losses, and in a

little time, in spite of my master's exhortations and the logic of his New View of Society which he read over to them six times, they flew away like gay birds in all directions, leaving him a disconsolate teacher without any scholars, but myself, and a few of the lame, blind and incapable of the community who were left behind. The ties of kindred and the feelings of humanity had, in truth, been very much weakened for want of exercise in our establishment, if they were not entirely left out in the march to perfectibility. What became of the grown up children, thus putting themselves upon their country, destitute of the habits and experience necessary to self-government, security, nay, existence in the wide world, I know not to a certainty. I have heard that many of them were wrecked upon the unknown coast of the world, and that the remainder, during a great part of their lives, were indebted for support, to that society which they had deserted, in pursuit of perfection. My business is not however with them. I am to relate my own story, which will exemplify the situation of human beings, such as it would in all probability be in the event of the ill success of my master's great plan, and the consequent necessity of their again mixing with the world as it is, with the obligation of obeying its laws, conforming to its institutions and fulfilling its duties.

I continued with my master some time after the backsliding of the treasurer, and the dispersion of

his flock. Notwithstanding his little eccentricities, I could not help liking him for the trouble he took to make the world perfect. Besides, as the apostate Man Machine of a treasurer could not run away with the village, the land and the improvements, our establishment was not altogether ruined, and recruits begun to flock in from time to time. It would seem indeed that whatever may be the situation of a man, good, bad, or indifferent, there will always be found some one to occupy it the moment it is vacant. Be this as it may, my master railed more than ever against the "erroneous system" of education pursued for the last six thousand years, and I verily believe would actually have hung up the "counteracting principles" in a row, could he have fairly got them in his clutches, notwithstanding his opinion of the injustice of all punishments.

We used to hold conversations together, and my master, who had great confidence in the perfection of my machinery, frequently consulted me on the subject of either converting these vile counteracting principles to his own notions, or exterminating them entirely. On one of these occasions, I thought I would bring him fairly to the point, by asking what he meant exactly by these counteracting principles, which seemed to be always in his way.

"To tell you the truth, sir," said I, "although my corporeal Man Machine is perfect, so far as respects its being entirely and exclusively governed, directed, set going and stopped, by the great principle called the force of habit, whereby the mischievous influence of the passions is entirely obviated; yet I fear that I am not equally perfect in my comprehension. I confess, sir, I have never yet been able to understand exactly which you mean by the counteracting principles. I have no doubt they are a set of diabolical rascals, but I should like to have so particular a description that I might know them half a mile off, and get out of the way when I saw them coming."

"What I mean," replied he, after some considerable pause—"what I mean by the 'counteracting principles,' or 'the force of circumstances,' is, all those vices, follies, inconsistencies, absurdities, habits, principles, and feelings, which an erroneous system of education for the last six thousand years has implanted in the human race, so as to change, as it were, their very natures, making them almost unsusceptible of perfectibility, and it would seem, incapable of remaining perfect when I have made them so. O! if I could only get rid of these, what a world I would make of it—there would be no use in a better, I promise you."

I was just as far off as before, and went on.

"May I ask, sir, what you mean by an erroneous system of education?"

"A system which counteracts human nature, sir."

"But how, sir?—You have always told us that human nature is nothing but a bit of wax, on which any impression may be made, if taken while it is soft. It seems to me, though I know I am mistaken, that there can be no such thing as human nature, and therefore that it cannot be counteracted by an erroneous system of education."

"Right, sir—right—human nature is an absurdity, a non-entity—a—a—in short, man is nothing but a machine, and his nature, or the first principle of his existence, nothing more than the force of an innate—an innate—an—a—law of matter like that which causes the wheel to go in a circle, and the runner in a horizontal line."

"But it has often puzzled me, sir, why—if human nature is a mere machine with its one inflexible law of action like that of a wheel—why you should take so much trouble to make it go better. But after all, sir, I don't see how this explains the counteracting principles."

"Look'e, sir," said my master, who was so well satisfied with the truth of his theory that he never would allow any body to question it, without growing rather sore—"Look'e, sir—the counteracting prin-

ciple is that tendency to wrong and mischief, which is implanted in the Man Machine by an erroneous system of education; and the force of circumstances is nothing more than the temptations thrown into his way by this erroneous system."

"As how, sir?"

"By the counteracting principles, sir."

"I believe I am very stupid, sir—but really I do not even yet comprehend these principles. What are they?"

My master began to redden.

"Why, sir—if I must take the trouble to answer your impertinent questions, sir, I tell you—that avarice, lust, ambition, envy, malice and revenge, are what I call the counteracting principles."

"O! I understand now—what we used to call the passions."

"The passions!—'tis false, sir—they are not what we used to call the passions—the passions are phantoms—they have no existence except in the brain of stupidity—they are the infamous incestuous product of the vile system of education pursued for the last six thousand years. There is no such thing as passion—or I say, there should not, and there would not, be such a thing, if it were not for the rascally counteracting principles—you are a blockhead, sir—and may go—where you please."

"It may be—but I am a perfect machine for all that—nobody shall convince me to the contrary."

"You are a perfect ass," said my master, turning his back upon me in great wrath—"you are a perfect ass—and the machinery of your upper works is not worth a tobacco-stopper. I wonder how I could make a tolerable cotton spinner of you."

This attack upon my perfectibility, nettled me a good deal; neither was I quite satisfied with my master's definition of the counteracting principles. I began to hang rather loose upon the establishment; but am not sure I should have left it, but for a "circumstance," which I consider the most unlucky that ever happened to me in my whole life.

It is time to remind you that I had once a father, mother, brothers and sisters. The pursuit of perfectibility, with other important matters, has hitherto prevented my telling you that I lost them all, one after the other, in the course of a few years. My father—but I will not expose him—he died. My mother did not long survive; and my poor little brothers and sisters dropt one after another, into that yawning tomb prepared for their reception by the glorious champions of productive labour. They withered like so many poor ignoble little flowers, shut out from air and sunshine—they waxed pale, sickly, and yellow—they became stinted in growth, dry, flimsy, inactive—and at last incapable. One after another they died away, as it were of no other disease than that of the spinning jenney.

When I think of them now, the tears come into my eyes, although it was so long ago; but their fate at the time made but little impression. I was too busy attending upon the evolutions of the ever turning wheel, the sole object of my earthly contemplations. From long watching the eternal round of the spinning jenney, its action became so impressed on the pupil of my eyes, and its buzzing noise upon the drum of my ear, that present or absent, sleeping or waking, my brain retained no other image, and bore no other impress but that. The wheel was perpetually dancing before me; and as a man after looking at the bright sun in the firmament, for a few moments, sees when he withdraws his eyes a thousand orbs dancing before him, so did I a thousand spinning jenneys. It was thus that my natural feelings and nicer perceptions, died away for want of exercise, and when I saw myself alone in the world, by the death of all my family, I tried to be sorry, but could comprehend nothing distinctly but the spinning jenney.

About the time my master insulted me for not properly comprehending the counteracting circumstances, and while I felt a little sore on the subject, one of these diabolical villains was let loose upon me before I was aware of it. News was brought me that a person possessing a good estate in a distant part of the country, had died intestate, and that after minute investigation it was found I was

next heir to the whole of his property. I was therefore regularly summoned to take possession. Here was a "counteracting circumstance," as my master called it, enough to make one's hair stand on end—turn his whole New View of Society wrong side outwards, and destroy the perfectibility of man.

My views, perceptions, and opinions were for a time changed, as if by magic. When I had nothing I was a great admirer of a community of goods—now I was rich I turned up my nose at the very idea of such an odd ridiculous notion, and argued with my master on the subject with a degree of independence at which he was quite astonished. I offered to bet him a round sum to back my opinions, and this was better than all his first principles put together. My master proposed to make me treasurer, but as there was no common fund, but what I might contribute, I resisted the tempting offer of being allowed to take care of my own money, manfully. In an evil hour, I determined to give up all the delights of perfectibility—to yield to the force of the counteracting circumstance—to follow the bent of the enlarged principle of social self-love, and return to the great world again, to set a good example and reform its abuses. Before I went, I resigned my portion of the village, the land and its improvements, to the remnant of the community that had laboured with me, after which I

sallied forth, full of hopes, fears and anticipations of I knew not what. I remember the first thing that alarmed me in my debut, was seeing two pigs fighting, an atrocity which none of the orderly swine brought up under the New View of Society ever were guilty of while in a perfect state. They are terribly under the influence of the counteracting principles, said I, to a person who happened to be near.

"Of what?" said he, turning quick upon me.

"Of the counteracting principles," said I.

"They are under the influence of passion," said he.

"My dear sir, there are no such things as the passions—they are nothing but circumstances."

"Who told you so?" replied he, eyeing me with a queer look, half surprised and half angry.

"My master—he can prove to you, by his precepts, if not by his example, that there are no such things in his New View of Society, as passions. They are nothing but circumstances and counteracting principles, as I said before."

"Tut," replied he—"'tis only a new name for an old thing—your master, whoever he is, may call black white, or white black, yet that won't alter the colour."

"I see you have never read the New View of Society—you are suffering all the evils, miseries and inconsistencies of that abominable system of

education which has prevailed in the world for the last six thousand years. You have 'been taught crime from your youth,' as my master says, and I dare affirm, will one day be unjustly subjected to punishment for those very offences which it was impossible you should not commit."

"Abominable system of education! Taught crime from my youth! Punished for offences it was impossible I should not commit! What do you mean, sir?" cried he, in a passion.

"I mean," said I, with perfect politeness—"I mean that it is more than an equal chance that you will one day be hanged by the mere 'force of circumstances'—as my master says."

Upon this the imperfect Man Machine unluckily gave way to the rascally counteracting principles, and came forward with an evident intention to knock me down.

"I'll teach you to throw out reflections upon me"—

"My dear Man Machine—I meant no reflection,—none in the world—if you should happen to be hanged it will not be your fault—it will be the fault of your education, for which you are no more accountable than for your subsequent actions. If any body deserves to be hanged, it is your father and mother, who brought you up in a profound ignorance of the 'counteracting principles,' and

that delightful self-love, which is the basis of all social happiness."

"My good friend," replied he, in a tone of contempt—"you are either a fool or a madman—I can't tell which."

"I am a philosopher."

"The difference is not much now-a-days," quoth he—and coolly turned away.

As I proceeded on my way to take possession of my estate, I every moment discovered that I had got into a new world, where I was a fish out of water. Every thing seemed at sixes and sevens—and there was a horrible freedom of will and of action that kept me in perpetual trepidation—neither man nor beast seemed to pay the least attention to the sublime precepts of the New View of Society. In our establishment there was a perfect equality—except that no person was permitted to have a voice in choosing the committee of management, unless he was worth a hundred pounds.* There was also a perfect freedom of action—except that the committee regulated the employment of every member "consistently with the public good."† In short, there was a regularity—a beautiful monotony, like the ticking of a clock,

* See New View of Society, Constitution.

† Ibid, for similar regulations.

or the evolutions of a spinning jenney—men, women, and children—pigs, ducks, geese and chickens—hogs, dogs, horses, cows, oxen, sheep and asses—there seemed scarcely any perceptible difference between them—the instinct of the one seemed quite equal to the reason of the other—and if there was any difference, it was in favour of honest instinct. The committee of management constituted the great moving principle, which set the whole machinery of the establishment going—they were the steam to the engine. I should do injustice to one of the most perfect machines I ever saw, if I neglected to mention in this place, a most sagacious donkey, whose special vocation it was to carry water. He would go to the well and return with his load as regularly as a Man Machine, and that too without a driver. But no reasoning, no violence, no first principles, could make him go one step beyond the well, or carry a single load after the hour of twelve. He knew as well as any Man Machine, when the clock struck twelve, and whenever it was attempted to make him take another trip to the well, the "counteracting principle" became invincible. What more could we expect from your boasted rational animals?

But the world into which I had got, was a melancholy contrast to this perfect system. Every man seemed to be actually in some measure go-

verned, and impelled by his own will, and of course every man took his own way. Every one chose his own occupation, without consulting, or being directed by a committee of management, which by relieving the community from the labour of thinking for itself, leaves every one at full liberty to do nothing—but labour for the joint benefit of others. As with the biped so with the quadruped machines. Not one of them seemed to know its place as in my master's establishment; each rambled and fed, apparently where it liked, and so it performed its appropriate task, or answered its destined end, was allowed every other species of freedom. The worst of it was, that though I could not help pitying and despising all of them in a lump, I was provoked to see them look a hundred times happier and more sprightly than my master's two legged, and four legged machines. The men whistled and the women sung at their work—the little children laughed and shouted in a most unseemly manner amid their unregulated gambols, where they sometimes fought and squabbled horribly. Their happiness was unaccountable—and could only proceed from an utter ignorance of my master's New View of Society. If they could only read that, thought I, they would go near to destroy themselves. The poor creatures little anticipated, that probably two thirds of them would live to be hanged or otherwise punished, only for committing

crimes actually forced upon them by the erroneous system of education inflicted on mankind for the last six thousand years. But the greatest enormity I saw, was an ox who seemed so particularly delighted with the liberty he enjoyed of doing as he pleased for a little while, that he actually cut a caper that would have scandalized all the sober machines of my master's establishment. I could not help drawing a contrast between the gaiety I now saw, and the philosophic ennui, which at all times displayed itself in our establishment, and which increased with every advance to perfection.

These impressions and reflections, however insensibly, gave place to others, as I gradually approached towards my new home, where I at length arrived without any material accident. It was a retired spot, in a remote county—pleasantly situated, and within two miles of a little town. The old servants of the late owner received me with attentive respect, and conducted me to a room where dinner was served up in handsome style. I asked them if they had dined, and on their replying in the negative, invited them to sit down with me. They at first thought I was joking—but on my peremptorily insisting upon it, they sat down with awkward embarrassment. It was plain to me they never had read the New View of Society—and knew nothing of the community of goods—the perfect equality—the incapacity of the Man Machine to govern his opi-

nions or actions—the horrible system of education of the last six thousand years—the divine impulse or circumstance of self-love, and the counteracting principles. Here was a fine field for the application of my master's theory.

I resolved to lose no time, and as soon as dinner was over, began by laying down the first principles of the New View. I taught them that man was a machine, and might be governed like all other pieces of machinery—that as men were taught crime by the very education they received, there was no necessity nor even justice in inflicting punishment—that from the beginning of the world to the present time, all men had been erroneously trained, and hence all the inconsistencies and misery of mankind—that a man's will has no control over his opinions nor his actions, so far as they are influenced by those opinions—that as all crimes originated in an erroneous education over which we had no control, we could not be justly accountable for them, either in the sight of God or man—that self-love was the prime source of all virtue and happiness—that man was a machine having naturally no passions but what are instilled into him by an abominable system of education—that he is capable of perfectibility—and that nothing stands in the way of it but the rascally counteracting principles. These doctrines I repeated every day, until my people got them by

heart and could repeat them. Nay, I put them in the form of a catechism, which I heard every Sunday, instead of sending them to church to hear the parson "dogmatize." I put in force a number of my master's regulations, and adopted his system in all its material parts, having no doubt that in a reasonable time, I should produce a great reform in my household. And so I should without doubt, but for my master's old enemies, some of whom followed me into my retirement, and were as busy as ever in counteracting our plans for the perfectibility of the Man Machine.

My establishment consisted of an old housekeeper, with whom I had more trouble than with all the rest put together. She had long reigned mistress, and master too, of the house—for I have been credibly informed, that my predecessor, an old bachelor, was more afraid of her than my master was of the counteracting principles. Indeed, my experience has long since taught me, that it is no way of escaping the tyranny of the sex to remain single. I never yet saw an old bachelor that was not sooner or later most awfully henpecked by some bitter old, or sweet young housekeeper, nurse, cook, or bed-maker. Mistress Jeannie, as she was called, was one of the very pillars of aristocracy. She could not bear the sight of your "ruff scruff," as she called them, and disliked your poor people inordinately. The pedigrees of all

around, far and near, were known to her a thousand times better than at the herald's office, and Lyon, King at Arms, was a fool to her in genealogy. You could tell the antiquity of a family by the courtesy she made to its representative at church. In short she had been used to the exercise of power; and held herself considerably above the majority around her—two of the great counteracting principles in the way of reform. It will always be found, I fear, that the desire, or the abhorrence of a system of equality, entirely depends upon the question, whether it will raise or depress us in the scale of society.

The other members of my establishment, were a steward, or manager, a shrewd, wary Scotsman, of whom it was said that he paid much attention to the affairs of his master, and much more to his own. He was supposed to be considerably under the influence of the counteracting principles—something of a hypocrite, and a little more of a rogue. His name was Macnab, and he prided himself upon what he was pleased to call his Celtic origin. There was a footman, a coachman, stable boy, and one or two others of miscellaneous occupation, together with two maids, one of whom was no beauty, and the other had as much vanity and affectation as a dutchess of three tails. Rather unpromising machines for perfectibility, thought I—but what of that? I have no doubt, as my master

affirms, that any character may be given to a community, or to the world at large, by means which are at the command of those who influence human affairs.*

Much to my satisfaction, I discovered in a little time, that my people glided with perfect ease into the New System of Society, so far as respected their intercourse with me. They set down at meals at the same table with me, and so far from displaying any awkward embarrassment, or making any sacrifices of appetite in consideration of my authority, they made a point of helping themselves to the choice bits on all occasions. This was promising, and I had little doubt of ultimate success, when all at once the villainous counteracting principles made their appearance, and hatched a plot against me that had well nigh overturned my New System.

The first was the counteracting principle of insubordination. My steward, the Celtic Macnab, began to demur most sturdily to my directions—insisting that as we were upon a perfect equality, in all other respects, he, as the person that had most experience in these matters, ought to have the sole superintendence of the agricultural part of the system. On my demurring to this, he turned away without ceremony, muttering some

* See New View of Society for similar doctrines.

thing exceedingly disrespectful to spinning jennies and machinery. He then went to honest Murdoch the ploughman, a brave Kilkenny boy as ever broke heads for amusement, and directed him to plow a certain field for the purpose of planting ruta baga.

"Ruta what?" quoth Murdoch.

"Turnips," said Macnab.

"The divil burn such articles as turnips, say I."

"But you must plant them for all that."

"Must—must, did you say? That for you Macnab," cried Murdoch, snapping his fingers—"there is no must here in the New Jerusalem. Turnips! —faugh!—would you set an Irishman planting turnips when there is such a ting as the beautiful patate, in the land of the living. Divil burn me Macnab, if I plant a turnip if you christen them by the name of the best saint in the calendar."

"But I say you must and shall—an't I the manager? You forget yourself, Mr. Murdoch."

"Faith, Macnab, you're out there—I'm just beginning to remember myself. You manager!—take notice, ye old Celtic dried up mushroom, there is to be no manager or management here—our master—that is to say, our instructor, for all other master's I disdain—has satisfied me that we have nothing to do with making our own opinions—now my opinion is decidedly in favour of planting patatees—and if I am wrong you will please put it down

to the errors of my education—patatees for ever! ye old worn out Man Machine," cried Murdoch, throwing up his hat—"huzza for patatees!"

"I say turnips," vociferated Macnab.

"And I say patatees," vociferated Murdoch. "If I plant any thing but patatees, may they rise up and ate me, instead of my ating them."

Macnab was on the point of referring the matter to me, when he recollected that this would be acknowledging my authority. So he gave up to Murdoch, who planted his potatoes in triumph.

One day I desired my coachman to get up the horses, for a ride to the neighbouring village. But he declined the motion, observing that the principle of self-love, which I had convinced him was the groundwork of all happiness, prompted him to go in the carriage himself, having made a party with the pretty chambermaid to the fair. Accordingly he went to the stables and ordered out the horses. The stable boy demurred; it appears he also had made a party to the fair, and would not give up to the coachman. The counteracting principles waxed warm within them—they incontinently fell together by the ears, and battered each other till the Man Machine was terribly disarranged.

The inside of my house was in a worse state if possible, than the outside. There was the mischief to pay among the Women Machines. The authority of the old housekeeper fell to the ground—and her

long established system of domestic economy was assailed by the whole force of the New View of Society. The Women Machines in fact carried my master's first principles to such an extreme that they actually degenerated into the counteracting principles, and went over to the enemy. The principle of perfect equality, in their hands became self-willed disobedience—the principle of a community of goods, became the counteracting principle of helping themselves to whatever they wanted—and the great fundamental principle of self-love became anti-social, by the prevalence of my master's grand counteracting principle of the centripetal attraction. In short, there was one eternal squabble in the house, and poor Jeannie, who had never throughly come over to the principle of universal equality in all things, almost fell a victim to the sublime doctrine of perfectibility. Half the time I had no dinner cooked, and was obliged to lie in an unmade bed, owing to the predominating influence of the counteracting principles.

"O! man, man!" I sometimes exclaimed in despair—and more emphatically—"O! woman, woman!—after all I fear that thou art nothing but a bundle of counteracting principles. But perseverance does wonders. My master certainly made Men Machines perfect at one time—I will not despair."

With this resolution I set about a reform, as speedily as possible, for to say the truth, I found that if we went on in this way much longer, I should be obliged either to take up money or starve. Saving honest Murdoch's potatoes, our crop this year was nothing. It really appeared, that owing to some misunderstanding or misapplication of my master's first principles, that his perfect system of equality, resulted in making every body dependent exclusively upon the person whose duty it was to perform the particular office required. Thus I was entirely at the mercy of my cook for a dinner—my coachman for a ride—and my housemaids for a new-made bed. This I was satisfied must be the work of the counteracting principles. I will set about counteracting them forthwith.

I called these refractory Machines together and lectured them on the spirit of insubordination, paying at the same time proper respect to the principle of equality. I told them that equality was, after all, not the entire absence of every species of inequality, but such an equality as was consistent with a due spirit of subordination—that a community of goods, did not mean the right of helping ourselves to just what we wanted—that the sublime principle of self-love, was not the love of self, but of society—and that the idea of a man not being accountable for his opinions and actions, only meant to apply to those opinions he might

indulge, and those actions he might commit, with a due regard to the laws and customs of society.

"Och murder," roared Murdoch—"Och murder and Irish—our teacher has gone over to the counteracting principles. Divil burn the New System of Society, say I; it is nothing but the old one in disguise after all."

Here it will be perceived that the counteracting principles carried the Man Machine, Murdoch, from one extreme to the other. The moment I talked to him of restraining one of my master's first principles, he and all the rest of them immediately protested that I abandoned my whole system. I was almost tempted to believe that if man was a machine, it must be a pendulum, which never stops, except at extremes, until it ceases its motion entirely.

Thus it happened with the machines of my establishment. I could never get them to stop at the right place. The villanous counteracting principles, were always tugging at the skirts of the men, and the petticoats of the women, now pulling them over the line this way, and now that, from one side to the other, to the total disarrangement of my plans, and the downfall of perfectibility. As I proceeded to qualify the application of my master's great fundamental principles, they all held up their hands, and raised their voices against such unheard of restraints in a perfect system of society.

"Arrah!" exclaimed orator Murdoch—"here's a pretty kettle of fresh fish all turned salt. Here's a pretty attack on the perfectibility of man. Here's splitting of hairs and philosophising people out of their liberty. I'm for none of his wishey-washey, half-and-half equality, and community. Neck or nothing with Murdoch. By St. Patrick, who set all the sarpents and frogs free from old Ireland, I'd rather be a slave outright, than not be as free as a mother Carey's chicken. By J—s," added he, after a pause—"let's vote him down. Here's six of us, each equal to him—six to one—all hollow—vote him down—vote him down—huzza for the first principles, and let every one do as they please."

The counteracting principles carried all before them—the resolution passed by acclamation, and I found myself in the situation of a man, who in getting through a wall, has made a hole which he can't stop again for his life. Still I did not despair, being positively certain that my master had at one time succeeded in making Men Machines perfect, and that what had been done might be done again. I determined to discharge my present machines as incorrigible, and collect a new set, younger, and less under the influence of the counteracting circumstances. Calling them together, I announced my intention of dismissing them, on the score of their not comprehending my master's first

principles. But an unexpected difficulty presented itself, in the shape of a counteracting principle as usual.

Not one of them would go, unless I consented to make a fair division of the common property. With the exception of the old housekeeper, who sighed for the restoration of her ancient dominion over the household, I was deserted by all. They clamoured for a division of property, although I tried to convince them, that as they had not contributed any thing to the common fund, but had spent twice as much as they earned, they were entitled to nothing.

"Och, then, he denies the sublime principle of equality," cried Murdoch—"he has fallen from the state of perfectibility. My sweet ones, what say you—let's vote him out—let's banish him the community as an outlaw—a white boy—an imperfect machine—a traitorous adherent to those diabolical villains the counteracting principles."

Murdoch's motion was carried without opposition, except from the housekeeper, and yielding to the force of the counteracting principles, I quietly went into banishment at the neighbouring village. Thus I found to my no small astonishment, that the operation of my master's first principles, being somehow or other got under by the force of the counteracting principles, had actually turned me out of my inheritance.

I have said nothing of the Celtic Macnab of late. The truth is, he seemed to join but little in these revolutionary proceedings. He was generally either busy or affecting to be busy elsewhere, and kept himself perfectly quiet. It will be seen anon what he was about all this while. At the village, I was waited upon by the minister of the parish, who, hearing of my situation, came to offer me advice and consolation. He advised me to appeal to the laws for redress. I shook my head—

"That would be giving up my system entirely."

"What system, I pray?" asked the old man.

"The system of perfectibility, as exemplified in my master's New View of Society."

"So then, you believe in the perfectibility of man?"

"Certainly—I believe that if the Man Machine was only freed from that erroneous system of education which has prevailed for the last six thousand years—and could escape the influence of the counteracting principles—he would almost as a matter of course, become a perfect Machine—as perfect as a steam engine."

The good man shook his head, and smiled a melancholy smile—

"So then, you intend to put up with this wrong, and refrain not only from claiming your rights, but from punishing those who have invaded them?"

"Certainly—I hold that as all the miseries, inconsistencies, and crimes of the Man Machine proceed from the errors of his early education, over which he can have no control, it follows as a matter of course, that he ought not to be punished for them. He can no more help them, than a machine constructed upon false principles, can help going wrong."

"And you seriously believe the world has been going wrong ever since the creation, and that you are destined at last to set it going right."

"I and my master."

"O! the inordinate pride of human nature," quoth the old man, shaking his white locks.

"Pooh!—there is no such thing as human nature, or any other kind of nature. Nature is nonsense—an absurdity, a phantom, conjured up by folly and prejudice. Man, sir, is a machine—you might as well talk of the nature, the passions, the innate impulses, of a spinning jenney, as of a man."

"Your principles go to the complete disorganization of the present system of society."

"To be sure they do—and that is exactly what I conceive constitutes their peculiar excellence. The whole system is radically wrong, and I and my master mean to set it right if we can only baffle those scoundrels the counteracting principles, and evade the force of circumstances."

"But what is there so very wrong in the present system, that you wish to overturn it ?"

"In the first place—people are actually taught crime, and then punished for it by the operation of an unjust system of laws. Now, sir, in order to remedy these crying evils, I would first put the judge in place of the criminal and hang him, to a certainty. Then I would abolish the whole system of punishments, as unjust and unnecessary—for nothing can be plainer, than that as all crimes and errors proceed from an erroneous system of education, it is idle and cruel at the same time, to make laws for their punishment."

"Then—to return to the point—you mean to leave these people in possession of your estate."

"I must—or abandon my system."

"Your estate is worth a dozen such systems."

"For shame, sir—do you value a few paltry acres more than the perfectibility of the Man Machine. I never saw a machine so completely under the influence of the counteracting principles, as you are."

We had many similar conversations, all ending in the same unsatisfactory manner. In the mean time, my honest friend, the Celtic Macnab, was quietly maturing a plan to arrest in the most effectual manner, the perfectibility of man, so far as it depended upon myself. He had represented me to the proper authorities as a mischievous madman, going

about propagating principles that struck at the whole existing institutions of society—an enemy to property, order and religion. He further stated that I was totally incapable of managing my estate, and that it was the duty of the commission to appoint an administrator to take it out of the hands of my domestics, who had possession, and were wasting it as fast as they could.

In pursuance of this information, I was unexpectedly taken into custody, and carried before a commission, to undergo an examination. Macnab stated shortly what I have heretofore detailed to the reader, and I was called on for an explanation of the motives of my conduct. I detailed in the clearest manner, the first principles of the New View of Society, and stated the grand objects my master and I had in view, in thus attempting to overturn the whole system of the world. I never was so eloquent before or since. But the machines constituting the commission of inquiry were sadly out of order, and the vile counteracting principles were too strong for my arguments. They pronounced me mad, although I proved to them that a man could not possibly be made accountable for his opinions, and appointed honest Macnab administrator to my estate.

I was carried to a neighbouring city and placed in a lunatic asylum. I made no resistance, for I was satisfied they could not place me among a set

of people more mad than those I had just left. Nay, a sudden hope dawned upon me, that I might possibly in time introduce my New System of Society among the machines of the asylum. Accordingly, one day when all the most quiet and manageable among us were amusing ourselves in the enclosure appointed for that purpose, I took an opportunity of laying down my master's first principles. Contrary to my expectations there was a decided opposition to the principle of equality, as well as that of a community of goods.

"Shall I, who am Alexander the great, sink to a level with Alexander the coppersmith?" cried one.

"Shall I, who have written verses, ten thousand times superior to Milton, or Homer, twaddle arm in arm through Grub-street with Croly and Mrs. Hemans?" cried another.

"And shall I, who have made the Apocalypse as clear as noonday, grovel on the same level with the expounder of a Chinese puzzle?" exclaimed a third.

"And shall I, who have demonstrated the grand principle of perpetual motion, acknowledge an equality with a mere inventor of steam engines?" roared a fourth.

"And shall I, who have completed a canal to connect the Icy Sea with the North Pole, degenerate into an equality with an Irish ditcher?" roared a fifth.

"And shall I, who have invented a New System of Society, to supersede law, gospel, crime and punishment, be placed on the same shelf, with such fellows as Moses, Solon, Peter the Great, Napoleon Bonaparte, and Jeremy Bentham?" roared a sixth.

You are the man for my money, thought I. I will make you treasurer of the Society, which I have observed is always the favourite office of great reformers and philanthropists. I could almost have persuaded myself that this was my master speaking, but it proved to be a poor fellow, who in the sequel demonstrated that he had not above half his discretion. Before I could proceed to enforce my doctrines by some of my master's best arguments, the counteracting principles began to play away finely. The indignation of the whole party fell upon me, whom they looked upon as a leveller, a democrat, a radical, who wished to deprive them of their best claims to superiority.

Alexander the Great seized Perpetual Motion by his thin spindle leg, with which he proceeded to serve me as he had done old Clytus, and run me through with his javelin. The poet thundered forth an anathema, that beat that of Ernulphus, or even one of lord Byron's curses, quite hollow—the expounder of the Apocalypse pronounced me the beast with seven heads and ten horns—the lawgiver proceeded to a breach of his own laws, by

knocking me on the head with a corn-stalk—the internal improvement man threatened to make me read all that had ever been written on the subject—and the champion of the New System, forfeited all claim to the office I had destined for him, by seizing me by the collar, and demanding whether I dared to question the eternal truth, that no man was justly accountable for his opinions.

The uproar brought out the keepers, who having traced its origin in the promulgation of my New System of Society, immediately placed me in solitary confinement. Here I had full leisure to reflect, and to mature my plans for the perfectibility of mankind. What a world is this, thought I, and to what has it been brought by the erroneous system of the last six thousand years! It has I fear entirely unfitted mankind for any thing like a state of perfectibility. Neither men in their senses, nor men out of their senses are willing to adopt the New System, which seems like the unlucky tailor's coat that fitted nobody. I had many tight arguments with the keeper who had me in charge, and who was sadly under the influence of the counteracting principles. I could never convince him that the world had been going completely wrong ever since the creation, that all mankind were in error, and my master alone right. He insisted the first was a reflection upon Providence, and that it was entirely contrary to reason that one man should

be so much wiser than all the rest put together. I have indeed observed that reason is always in the way of us great reformers, and have often heard my master say, it was one of the strongest counteracting principles he had to deal with. There was another obstacle always in his way, which he called a "circumstance," namely, the experience of mankind, which my master swore, was the most obstinate blockhead in the world.

I remained in this state of solitary abstraction for about a month, during which my enthusiasm in behalf of the New System of Society somewhat abated. I had all the zeal in the world, but had no ambition to become a martyr. At the end of the month, the visitor, a benevolent physician, came to examine into the cases of these unfortunate beings. He visited me, and we had a long conversation, in which I studiously abstained from the doctrines of the New System of Society. I considered that no man was bound to sacrifice himself to a theory; and that at all events, I could do nothing to propagate the perfectibility of man, while thus shut up from all communion with my fellow creatures. It was impossible to reform society, from the inside of a madhouse. The doctor was surprised at my rationality, and seemed inclined to report me as being perfectly restored, when, unfortunately, happening to differ with him in some point, I apologized, by observing, that no man was accountable for his opinions or actions in this world.

"Good day, my friend," replied the doctor, bowing almost to the ground, with great gravity—"I am afraid you are not quite cured yet," and away he went. I could have bit off my tongue, and made a solemn resolution not to say a single syllable about the Man Machine—the perfectibility of man—the counteracting circumstances, or any such matters, the next time the doctor came.

At the end of a month the visitor came again, and I conducted myself with such discretion that he immediately procured an order from the trustees of the asylum for my release. The keeper, as he bade me farewell, warned me against perfectibility, and I was very near being shut up again for cautioning him against the counteracting principles. Without losing any time I beat my steps towards my estate with a design of bringing the Celtic Macnab to a reckoning, for procuring me to be shut up in a mad-house. When, however, I came to recollect, that all the errors, inconsistencies, vices and crimes of the Man Machine originated in his being set going wrong at first by an erroneous system of education, and that he could not in strict justice be called to account for his opinions or actions, I determined to treat him in the most friendly manner. We accordingly had an amicable meeting, in which, in discussing the subject of the New View of Society, he observed, that the old world was not the proper sphere for trying the experi-

ment. Old habits, old errors, and old establishments, were difficult to change, or pull down. It was in the wide space of the new world, where there was plenty of elbow-room to give it a fair trial, and where habits, manners and opinions had not attained to that rigidity of muscle which renders them unalterable, that it was undoubtedly destined the experiment should completely triumph. He also casually mentioned that my old master, had already made arrangements for the grand experiment, and had sailed for the new world.

I caught at the idea—and after some little discussion, such was my impatience to follow my master, agreed with Macnab to leave him in quiet possession, for a sum of money which hardly amounted to two years' purchase. It was a good estate, although my people, yielding to the force of the counteracting principles, had dilapidated it sadly. Macnab had turned them all out except the old housekeeper, who still maintained her rank and her authority. I know not what became of the rest, only that orator Murdoch took a trip to Botany Bay, for acting too largely upon my master's grand principle of a community of goods. I went to bid the good old parson farewell.

"You are going on a wild goose chase," said he.

"Yes—but people sometimes catch wild geese."

"Much oftener than perfectibility."

"Aye—aye," said I, good humouredly—"you

parsons can't bear the idea of perfectibility, because it would put down your calling."

He answered my smile—

"Well, go thy ways for an odd Man Machine. Thou wilt one day discover that Providence is wiser than thou art—Farewell. Tell me how you get on in the new world—when your community becomes quite perfect, send for me. I will come to show you, that we parsons are not afraid of perfectibility."

As I was going away he called me back—

"Stay, friend Perfectibility," said he, merrily. "Thou mayest want some person to certify for thee in the new world, that thou art not quite as mad as a March hare. I will give thee a letter to an American, formerly a fellow student of mine at Edinburgh, who will befriend thee if necessary."

He then sat down, and in a few minutes finished a letter, which he gave me, directed to Mr. Robert Ashley, at Bristol, Pennsylvania.

Full of anticipations, I went down to a neighbouring seaport, and embarked for the new world, where I arrived after a short passage without any accident or event worth recording. During the passage, I had some conversations on the New View of Society, with an old sailor, who I attempted to bring over to my master's theory. At last, however, he cut me short by "D——g his eyes if he believed there was any way to make a man perfect, except by making a perfect sailor of him."

There was, however, a fellow passenger on board, who I found to be more reasonable, and less under the dominion of the counteracting principles. We had frequent discussions on the subject, and I opened to him all my plans without reserve, not omitting the sum of money I had with me, to invest in the perfect community. He became a complete convert to the New View of Society, and we agreed to co-operate zealously in the great work of perfectibility. We went to live at the same lodgings, where we digested a plan of operations for the future. The second day after landing, he came to me, to say that by a great piece of ill luck, the merchant on whom he had a credit for a large sum, was out of town, and could not supply him with funds.

"'But I should not have minded that so much," said he, "except that another merchant to whom I am indebted in part of this money, insists on my paying him immediately. Now all I want is for you to advance me the sum, till the day after to-morrow, when the person on whom my bills are drawn will be in town."

He offered to show me the bills, but on second thoughts, had left them with the merchant's clerk. The sum he wanted was nearly all I was worth in the world, but I lent it with as little hesitation as my friend borrowed it. He then left me to go and pay the debt he spoke of, desiring

me to have dinner ready at four o'clock, when he would certainly be back. But four came, without my friend, and hour after hour passed without his appearing. The dinner grew cold, for I had no inclination to eat—not that I was uneasy about my money, but my friend. I was afraid that his simplicity had been imposed on, or that like me he might have been mistaken for a mad-man, and put in a lunatic asylum. A week passed away without my seeing him, during which time the remainder of my money had disappeared also. I began to grow uneasy—and one day took a solitary walk, in the environs of the city, to reflect on my situation, and ponder on the mysterious disappearance of my friend. What was my joy, on turning round a short corner, to meet him face to face when I least expected. I was rejoiced to see him, but I cannot say that he appeared to share my raptures.

"My dear Man Machine," cried I, "I am so delighted to meet you again—I was afraid they had put you in a mad-house, for believing in perfectibility. By the way—I have spent every farthing of my money and will thank you to let me have what I lent you."

"What, in a community where all things are to be in common? You forget the New View of Society," said he, with a sort of sneer I did not like.

"Yes, but the system you know is not yet in operation."

"No matter, the principles on which it is founded are eternal and immutable, sir. If a community of goods is right in one case, it is right in another. Your money is gone."

"You don't say so," said I, in great dismay.

"Gone, sir—I have considered myself as acting up to the sublime principles of the New System, by distributing it among the community, upon the just basis of mutual wants, and mutual conveniences. The tailor has some of it—the jeweller—the hatter—the tavern keeper—has each his share—but the last guineas went for a couple of dozen Bingham wine, which would do your heart good even to smell at. You shall come this blessed day, and help crack a bottle—hey! my fine piece of perfectibility!"

"So then, you have spent all my money?"

"Your money? my dear friend, you again forget the sublime doctrines of the New System of Society. You have only to consider each of these persons who have received a share of your money, as members of our community, and you will acknowledge that it could not possibly belong to you."

"I believe you are a great rascal."

"My dear friend, how can you make that out?"

"You have cheated me of my money."

"My good friend, you are certainly under the do-

minion of the counteracting principles, if ever a man was in this world. But suppose, for the sake of argument, that I had defrauded you of your money. What then—am I to blame?"

"Who else in the name of common sense?"

"Don't mention common sense, I beseech you—it has nothing to do with the New System of Society. We must try the question by our great master's first principles."

"Agreed."

"Well then, can you deny that all the errors, inconsistencies, and crimes of the Man Machine, for the last six thousand years, may be traced in a direct line to the absurd and mischievous system of education which has prevailed all that time."

"No."

"Very well—and can you deny the immortal, and immutable truth of the great principle of perfectibility, that no man can be justly held responsible for his opinions or his actions?"

"I do not deny it."

"Very well; then answer me, thou ricketty, addle-pated, imperfect machine, whether, even supposing I had actually defrauded you of your money, I am to be blamed for it? You must blame the erroneous system of society, and if you punish any body, it must be my parents who did not take sufficient care to put down the rascally counteracting principles."

"And you think yourself justified on these grounds ?"

"Certainly, certainly—besides, it was my opinion that if I did not rid you of your money, somebody else would, that might not make as good use of it; and the sublime circumstance of self-love, which you know is the basis of all social duties, prompted me to give the preference to myself. You at least cannot blame me for acting up to first principles."

"First principles! If the truth were known these are nothing but my master's great enemies the counteracting principles."

"They are the principles of perfectibility."

"They are the principles of the d—l, who it is said can even quote scripture to his purpose."

"My dear machine, how can you, a perfect man, talk about such antiquated stuff as the scriptures. Don't you know they are entirely unnecessary to the perfect state."

"I don't know," cried I, in despair—"I know nothing, I believe."

"There now you may pass muster in your master's great community. To know nothing and to be conscious of it, is the most perfect state of the Man Machine." Then assuming all the air of a mentor, he added,

"Look'e, Mr. Harmony, I will give you a piece of advice, which if you follow it, will be worth more than all your money, so that we shall be quit

at all events. The next time you meet with a stranger, don't attempt making him a convert to principles that will not only justify his borrowing your money without ever paying, but picking your pocket into the bargain." So saying, he marched off at a long trot, and presently disappeared in the great wilderness of houses.

I was now left destitute in a strange land, and what was most provoking of all, as it were, by the operation of my master's first principles, which, now for the first time I began to distrust not a little. What to do I knew not, for I had been so used to be told every day what to do, and to do every day the same thing, that I was a perfect inanimate machine, so far as respected the total absence of the principle of self-government. I stood with my hands in my breeches-pockets, I dare say with a most rueful expression of face, when suddenly I felt the letter of the worthy old parson crumpled between my fingers. As the last resort, I determined to go and deliver it to Mr. Ashley, and claim his good offices. He lived a considerable distance from the city, but being a man well known, I soon got a direction to his country seat.

In the morning, I was about getting into a stage with my trunk, when the master of the house came up with very little ceremony, or rather none at all, and presented me a bill. I began to

talk about the first principles, the community of goods, and the New View of Society. But this was one of the most intractable machines I ever had to do with. He told me his first principle was to get his money if he could—his second to send his boarders to jail, when they ran in debt without being able to pay. These sounded to me very much like some of my master's old enemies, the counteracting principles. But the truth is, I began to be so confused about principles, that I could hardly tell one from another. Be this as it may, I was carried to prison, when, according to one of my master's first principles, the landlord, who applied for, and the magistrate who granted the commitment, ought to have been put there in my place. Here I was admitted into a society which came nearer to my master's New View, than any thing I ever saw before or since. Here all were equal, and there was a perfect community of goods, each man borrowing from his neighbour without ever thinking of payment. They all moreover agreed perfectly, in laying the blame of all the evils they had suffered, and all the faults they had committed, to the errors of their education, and were equally unanimous, in declaiming against the injustice of legal punishments. I verily believe there was not one of them, that would not have come most heartily into my master's idea of a community of goods, throughout

the whole world. Indeed, I thought our community in some respects preferable to that of my master, seeing we had nothing to do, and had the best possible chance for perfectibility, being removed from the temptations of this world, and out of the reach of the counteracting principles. We had iron bars, and double doors to keep the villains out.

Notwithstanding some symptoms of ennui, which began to creep over me, I felt myself so comfortable that I hardly knew whether to be glad or sorry, when one day a gentleman was ushered into my room, who announced himself as Mr. Ashley.

"I just now," said he, "received a letter from an old friend of yours and mine, who says he gave you one to me, and inquires whether I have seen you. Being in town upon some business, I thought I would look you out, and after some little tracing, found you, where I am very sorry to see you, sir."

"I have nothing to reproach myself with, and very little to complain of," said I. "Our society here approaches tolerably near to the New View, and the men come as near to the state of perfect machines, as any I have seen, except my master and myself."

He looked at me with a mixture of pity and wonder.

"I am glad you have been so comfortable here. But at all events I hope you will have no

objection to go home with me for a little time. I have paid your small debt, and though our society may not be quite so perfect as this, I hope you will be able to tolerate it."

There was an honest freedom, mingled with hearty kindness, about Mr. Ashley, that won my confidence, and after some little struggle with myself I agreed to accompany him home. His establishment was large, and he had about him a number of workmen and labourers. But I regretted to see that he had made little or no advance in the great plan of perfectibility. He paid no regard to the system of perfect equality, except so far as the administration of justice required, and the grand principle of a community of goods, was entirely banished. Instead of treating his men and women like machines, he actually put them on the footing of rational beings, accountable for their actions, forgetting entirely that these proceeded from an erroneous system of education, over which they had no control whatever. He laughed at the idea of entirely banishing idleness, poverty and crime, and of course the necessity of punishment, by means of any system ever yet invented. As to the counteracting principles, he went so far as to say that this was a phrase invented by my master, who by giving new names to old things, had sought to screen the absurdity of his new system, from the eyes of the ignorant.

Nevertheless, Mr. Ashley was a shrewd, clear-sighted man, who had seen much, read much, and reflected much in the course of his life. Like all the well educated Americans, I have seen, he had those practical notions of liberty, that are essential to its existence, and which only the habitual enjoyment of it can thoroughly implant in the mind. When the rational inhabitants of the new world, speak of freedom and equality, they mean nothing more than the privilege of making their own laws, and an equality of civil and religious rights. "The first right of a people," said Mr. Ashley to me, in one of our discussions—"the first right of a people is that of making their own laws—their first duty is to obey them. They and the magistrates who administer them, are the only sovereigns." This is a sentiment, I may say a habit, with the Americans; and I often have had occasion to observe that one of the last things they think of, is resisting laws assented to by their own peculiar legislature. My friend and I had long and frequent arguments, upon the advantages of the old and new system, for though he was my benefactor, I was determined not to give up to him on that account.

"Your master, as you call him," said Mr. Ashley to me, one day that I had advanced the doctrine of perfectibility—"your master appears to con-

sider all the vices and crimes of mankind as proceeding from ignorance."

"Certainly," said I, "they are the necessary and inevitable consequences of ignorance, as my master affirms."

"As an abstract proposition and taken in its broadest sense it is probably true. Could we conceive the idea of any being, but Omnipotence alone, gifted with perfect knowledge, that being would probably be free from all vice. Perfect knowledge presupposes a perfect conviction of the futility of indulging the passions, except to the extent in which they are essential to the existence of the grand system of the universe. Perfect knowledge, or wisdom, would know that inordinate lust, avarice, ambition, gluttony, selfishness, envy, malice, revenge, and all those passions which lead to the commission of crime, were in fact sources of misery, repentance and despair. It would therefore, having this perfect conviction, abstain from the criminal indulgence of these passions."

"I am happy," said I, "that you are a convert to one of my master's first principles at least."

"In its abstract, not in its application. I consider it, when applied to man, as a preposterous absurdity."

"As how?"

"Because it can never apply to him to the ex-

tent necessary to your first principle. It must be perfect wisdom, or the argument falls to the ground."

"But do you not believe, that in proportion as we lose our ignorance, we recede from vice?"

"Indeed, I do not. In the main, I do believe that the acquisition of knowledge, unless," said Mr. Ashley, smiling, "it meets with one of your master's counteracting principles, is favourable to virtue. But he must be little acquainted with the world, as it has been, and as it is, not to be convinced, that in the scale of virtue there is little difference between knowledge and ignorance, except in the refinement with which the one, and the grossness with which the other indulges its vices. Generally speaking, ignorance is not the fault of mankind, but their misfortune. It would therefore impeach the justice of Providence to suppose they were the worse on that account."

"Here, at least," said I, eagerly, "you have admitted one of my master's first principles. You say that ignorance is generally not the fault, but the misfortune of mankind. Is not this acknowledging what my master affirms, that, as no man directs his early education, so no man can justly be accountable for his opinions or his actions."

"Indeed, it is not. What I find fault with, in your master's first principles, is, that though they are, a great many of them, such as have been ad-

mitted by the writers on morals and metaphysics yet until now they were never carried to that mischievous extent of practical application, which I consider the defect, I might almost say, the wickedness of your master's system. Consider what would be the result of the application of your principle of non-accountability. A perfect latitude of crime, and a complete freedom from punishment—the absence of all restraints of conscience or law."

"But where would be the harm, if the Man Machine was perfect?"

"Neither you or your master have a right to ask the question until you make them so."

"But you will admit that if they were perfect, there would be no harm in it?"

"Certainly—only make them perfect, and I will become a convert to the New System."

"Only give us time, and you will see it all come about. All that is necessary is to get rid of the rascally counteracting circumstances."

"O certainly—there I agree with you perfectly," said Mr. Ashley, smiling. "But as time is, you acknowledge, necessary to make man perfect, what is to become of society in the mean while, when all the restraints of accountability and punishment are thus suspended? It will fall into a state of nature, if there ever was such a thing—a perfect anarchy—a dissolution will take place."

"My dear friend, that is just what we want. If we could only dissolve the present state of society, and produce a perfect chaos, we would then begin *ab ovo*, as my master says, and do what we pleased afterwards in remodeling it."

"But to return," continued I, "to the inseparable connexion between vice and ignorance. You don't believe in it?"

"Let me answer you by another question, in our yankee fashion. Which are most free from vice, children or grown people?"

"Why, children, to be sure."

"And which have most knowledge, children or men?"

"Why, men, to be sure."

"Then how can ignorance be the sole cause of vice?"

Mr. Ashley seeing me rather posed, went on.

"My good friend, be assured the great error of all system makers, is that of ascribing to one cause, what is the result of the operation of many. Degrees of vice are not to be measured by degrees of ignorance—nor does the mere teaching of what is right furnish any absolute guarantee for acting rightly. There are a thousand temptations assailing us, from which all the knowledge that will ever fall to the lot of man, can be but an inadequate defence?"

"That is owing to the intervention of the rascally counteracting principles."

"Call them what you will," said Mr. Ashley. "names do not alter things, nor can all thy master's jargon about principles and circumstances, disguise the passions and appetites of human nature, from those who are not governed by mere words. It is indeed a happy circumstance that the morals of mankind do not depend upon the understanding of metaphysical distinctions, else I fear there would be little of morality in this world."

"Then," said I, after a pause, "you do not believe in the influence of knowledge at all?"

"Pardon me," said he, "I believe it has great influence, and that to know our duties, is essentially necessary to the practice of them. They are, to a certain extent, indispensable to the maintenance and enjoyment of that freedom which is the basis of national prosperity and happiness. If to know what is right is essential to practice, it is still more essential to the enjoyment of our rights, that we should know in what they consist. This cannot be known without education. All I deny is, that human knowledge will suffice to the total prevention of crimes, or obviate the necessity of penal statutes and punishments."

"Punishments!" said I, "my master allows of nothing of this kind. He has proved that punishment is not only cruel, but entirely ineffectual in the prevention of crime."

"As how?"

"Why because, notwithstanding these punishments, crimes are committed every day," said I.

"Ah! that is your master's usual mode of drawing conclusions. Because punishments do not prevent crime entirely, he concludes that they are of no effect whatever. Because they don't do every thing, it follows in his system that they do nothing. He sees that crimes are committed in spite of the punishment; but only Omniscience can see how many others are refrained from, in the apprehension of the punishment that awaits them. In good truth, my friend, of all thy master's absurdities, and truly they are manifold, the absurdity of dispensing with punishments altogether, because those already denounced are insufficient for the total prevention of crime, is the greatest. It is as if a parent should say to a wayward and obstinate child, 'Go thy ways, and do as thou pleasest; I find ten stripes will not prevent thee from transgressing, therefore I will not increase them to twenty, but let thee off in future, without any punishment at all.'"

"But my master relies upon the force of habit, the absence of temptation, and the hope of reward," said I.

"My good friend, thy master relies upon insufficient securities. The force of habit is strong I allow, but where is thy master's surety that men will not adopt bad habits as well as good?"

"The absence of all temptation to do evil," replied I.

"My friend," replied Mr. Ashley, "where there are temptations to do good, there will be temptations to do evil. They are coeval, co-existent and inseparable."

"But we are to have neither temptation to one or the other—temptation is to be banished entirely."

"Then what becomes of the hope of reward—is not that a temptation to do good? But be assured that rewards will not do alone in this world, without the aid of punishments. You may punish a man for committing a crime, but it would be impossible for society under any view, new or old, to reward all persons for abstaining from it. But even if society had the means, how is it to arrive at a knowledge of the degree of temptation resisted, of the degree of virtuous forbearance exercised, so as to proportion the reward to the resistance? It would be confounding all degrees of virtue to reward all alike, and it would be arrogating to ourselves the Omniscience of the Supreme Being, to pretend to discriminate between the temptations and forbearance of all those who abstain from the commission of crime. Solon, one of the wisest of lawgivers, ancient or modern, has said, that in order to make men virtuous, you must allure them by rewards, and deter them by punishments. All legislators have proceeded upon these principles. Is

thy master wiser than the wisest of all ages? To me it appears that his system, so far from indicating superior wisdom, is founded in a total practical ignorance of man; and a complete misapplication of the little abstract knowledge he possesses."

"Then you deny that the hope of reward operates in favour of virtue," said I.

"Indeed, not I. I only deny that it is sufficient in itself to restrain the passions of mankind—I find fault only with thy master for affirming it to be so. A perfect system can no more be made out of a single principle like this, than a perfect man could be made with only one leg. Thy system has but half a leg in truth."

Here I observed that I thought my master at least sincere and disinterested, in his plans for improving the happiness of the human family, and that however he might be led astray by an unlimited application of his first principles, his object at least should shelter him from ridicule.

"Why, I don't know," replied Mr. Ashley—"a good intention certainly goes far to sanction a reasonable degree of theoretical absurdity. But when such absurdities strike at the root of the whole frame of society, and in their operation go to unsettle the very fundamental principles of religion, morals and government, the author of them becomes *Feræ Naturæ*—a sort of common enemy, whom it is lawful to run down, either by reason or

ridicule, whichever may be most efficacious. Now, my good friend, I believe the sage Don Quixote was the last man that ever seriously undertook to fight with a windmill; except it may be that I am somewhat liable to a similar imputation, in having seriously attempted to battle with thy master's first principles. To oppose fanaticism, or uncloak hypocrisy, by serious argument, is a hopeless task, because the former neither reasons, nor listens to reason, and the latter is always too interested to become a convert. I do not doubt thy master's sincerity, although he talks a little too much, I think, about increase of profit, pecuniary gain, and such like worldly matters, which slip out occasionally; but whether sincere and disinterested or not, he has no right to demand, or you either, that because he is serious, others must of necessity be serious too. Goodness of intention, like charity, covers a multitude of sins—but a good intention can only be known to him who searches all hearts, while its evil consequences may be estimated by every rational being. It would be making error perpetual to approach it on all occasions with a most profound and reverential gravity. Such is indeed the infirmity of our nature that what is often impenetrable to reason, and invincible to persecution and torture, is brushed away by the light feather of ridicule in a single moment. There is another good practical reason for using this weapon in cases like the present.

Errors and mischievous absurdities, are best put down by the good sense and good feeling of the people, excited and awake nedby addresses to both. This excitement is to be produced, either by verbal arguments or by printed publications, which last, to be of any service, must be read. Now, hundreds will read a book that makes them laugh, where one will read a book that only makes him wise. I never expect to attack thy master's first principles, in a book, but I claim the privilege of laughing at them when I please, notwithstanding your gravity. I hope you will take it in good part, for I promise you, that in some ages and countries, your master would not have been let off with a laugh."

These arguments were renewed almost every day, and I confess that each one contributed in some degree to unsettle for a moment my faith in the New View of Society. But though weakened I was not overcome, and I exulted from time to time in detecting Mr. Ashley in what I supposed inconsistencies and contradictions.

"If I understand," said I one day, "you deny my master's first principle, that any character may be given to a community, or to the world at large, by means which are in the power and at the command of those who influence human affairs?"

"I do, as usual," replied Mr. Ashley, "to the extent to which he carries it."

"Then you deny the influence of power, wealth, talent, superstition, corporeal strength—in short, whatever has enabled men to obtain an influence over nations, and to modify their systems of government?"

"My good friend, it appears to me the pupils of perfectibility have a very imperfect mode of understanding argument. You, for example, seem to suppose that I deny every thing you advance, because I don't assent to every thing. I believe if I were to deny that this was a bright sunshiny day, merely because it rains, you would take me up as affirming there was no such thing as sunshine in this world. Here, as usual, your master's proposition is true to a certain extent; but to affirm that the character of a community entirely depends on its rulers, or in other words, 'those who influence human affairs,' is running into an extreme, and all extremes are absurdities. This would be making man a machine at once, to be set in motion entirely at the will or caprice of another. I certainly believe in the very weighty influence of rulers and lawgivers, but I don't believe all of them put together, could make the native of Lapland or Kamschatka, an Italian amateur of the fine arts, any more than I believe a pig could be brought to prefer wiping his nose with a cambric handkerchief by the influence of either his master's precepts or example. I have seen a learned pig it is true, but his

scholarship originated in a proper distribution of rewards and punishments, both which your master discards from his new system. That power, wealth, virtue and genius, give certain men great influence in the formation of the community in which they live, is certain. But there are a thousand other 'circumstances,' as your master would call them, either aiding or counteracting this influence, and modifying habits, manners, and opinions. Your master is only wrong here, as he generally is, in ascribing all to the influence of man, and leaving nothing to those more powerful instruments wielded by Providence. He appears to deal in none but secondary causes."

Proceeding in the discussion of my master's first principles, we at length came to the community of goods, the perfect equality, and the great axiom, that nothing was necessary to supersede the whole complicated system of education, government and religion but the proper understanding of the great truth, that self-love and social are the same. In discussing these points Mr. Ashley observed—

"That the object of my master, in making a perfect equality, and a community of goods, two of the fundamental principles of his system, appeared to be that of withdrawing from his Men Machines three of the great sources of injustice and crime among mankind, to wit, ambition, avarice and envy. But the idea of so perfect a system of equality, so perfect a community of every thing, as would place

people out of the reach of the operation of these passions"—

"Counteracting principles, if you please."

"Well, counteracting principles then," said Mr. Ashley, good naturedly—"the idea, I say, is absurd and preposterous. There is an inequality in nature, if nowhere else, which is beyond the control of systems and theories; and even admitting there were not, unless you could produce a perfect equality in that estimation in which men hold the good things of this world, it would be impossible to prevent them from envying some one or other—from indulging a desire to appropriate what is not their own, and to control the opinions and actions of their fellows. In short, you must place man in the grave before you can place him beyond the reach of the pass— I beg pardon, the counteracting principles. But were it even possible to introduce and sustain for any length of time so perfect an equality, as that all should be precisely on a footing with regard to worldly goods, and worldly sources of enjoyment, I fear there would not be the less play of the little and malignant passions. Experience, which is a surer guide than the vagaries of sanguine or deluded theorists, has convinced me that it is precisely in this state of perfect equality that these ignoble passions are most excited, and most mischievously, for the happiness of the community. My observation has taught me that those who are

far above, or far below, or far distant from us in any respect, are seldom the objects of our envy or jealousy. But even if they should become so, they are placed beyond the reach of their daily effects. It is among our equals, and companions, those who rival us in our favourite pursuits—who cross our paths in the attainment of what we most ardently covet—who share with or deprive us of the gratification of some long sought good or pleasure—it is towards these that the malignant passions are most frequently and most bitterly excited. People so circumstanced, are perpetually coming into conflict with each other, in the attainment of those objects, which in any state of society I have ever been acquainted with, must and will constitute our most powerful excitements. These petty rivalries, so far from being diminished, only rage the more venomously, where people are cooped up in a small space and crowded together under the immediate eye of the dispenser of honours and rewards. Proximity is to the passions, what oil is to the fire; it makes them rage ten times more furiously. They will be found to operate in a narrow and confined sphere much more actively, incessantly and vehemently, than out in the broad space of the great world, where there is such a vast variety of pursuits, and so much elbow-room for all, that the passions seem to lose their force and malignity by expansion. There are so many tempta-

tions, and interests, each pulling a different way, and each in turn exercising a momentary influence, that the mind is in a vast many cases saved from the worst of all tyrannies, that of a ruling passion, the source of most of the crimes and excesses that blot the history of the human race."

Mr. Ashley was no better pleased with my master's great principle, "that all that was necessary to the perfection of society was self-love properly understood."

"Like all the rest of your master's principles," said he, "it is alike absurd and dangerous in its application, by being carried to an extreme. Besides, it is refining too much. Mankind are not to be governed by metaphysical niceties, and it is especially dangerous, to attempt to make that the foundation of all virtue, which has ever been considered the foundation of all vice. In the language and perceptions of ordinary people, self-love, is synonymous with the total absence of all the social duties, and the danger of inculcating it as the basis of social happiness, is, that you may persuade them that excessive sensual indulgences, are not only allowable, but praise-worthy. With ordinary minds, I imagine it will be difficult to make out a clear comprehension of the difference between that self-love which seeks its fruition in the indulgence of the selfish passions, and that which finds it in administering to the happiness of others. The latter,

the ignorant, at least, would be much more apt to call self-denial, rather than self-love; and I should have been much better pleased with your master's system, had he condescended to administer to their comprehension, by giving it a name they can understand."

"But my master's system is addressed to the wise, instead of the ignorant. There will be no such thing as ignorance in the new system of society. We are all to be philosophers."

"What! a community of philosophers! That is but another name for bedlam. And philosophers too, passing the greater portion of their time at the spinning jenney, the loom and the steam engine. The school of Socrates certainly was nothing to this. No doubt you will all be perfect in time."

"Aye, sir, perfect Men Machines."

"I have no doubt of it," said my friend dryly.

"But," said I, "we are not to be always learning philosophy and metaphysics at the spinning jenney —we are to be taught all the moral duties, that is to say, the children—and instructed in their exercise at the play ground. There, under the superintendence of sage mentors, the little candidates are to be initiated into all the mysteries of the proper application of the great fundamental principle of self-love."

Mr. Ashley shook his head.

"My good friend, there is a time for all things—

a time for play and a time for instruction. If you make the plays of children a medium for inculcating either morals or knowledge, they cease to be recreations, they become tasks, and the whole end and object of plays, to wit, relaxation of mind, and wholesome exercise of body, is lost. You may teach children to forget they are hungry by play—but neither philosophy or morals, I imagine, are to be learned at children's plays, which essentially consist, and in fact derive their principal excitements, from the strife of strength, skill, courage, swiftness of foot, or some other physical qualities. Besides, if you are to make philosophers by play, it is essential that they should play nearly the whole time, and then what becomes of the spinning jenney and the common fund ?"

"Then," replied I, in great vexation, "you don't believe in one single one of my master's first principles ?"

"Not to the extent to which he carries their operation. Every one of them in my opinion, are practically false."

"Nor in the force of 'circumstances ?' "

"Certainly, if you mean the temptations of this life."

"My good sir, I mean no such nonsense."

"What then do you mean ?"

"Why—the—the—force of circumstances—and I suppose you deny that the counteracting principles are the greatest rascals in the world ?"

"If you mean the passions, I do not deny it."

"Pshaw! I beg pardon, but you talk nonsense. There is no such thing as passions in my master's New View of Society."

"That may be, but this don't prove they have no existence."

"You believe, in short, that the present state of society cannot be improved?"

"There you go again—because I don't believe it can be made perfect, you make me say it cannot be improved. I think it may be greatly improved, but not by such reformers as your master. His system may increase the amount of productive labour—it may, to use his own words, produce to the administrators of a community of this kind, '*a large increase of pecuniary gain, preserve the body in a good working condition, and enable one woman to do the work of twenty.*'* If this is perfectibility then you will undoubtedly be perfect."

These arguments, and a variety of others Mr. Ashley from time to time brought forward against my master's new system, I confess undermined for a time my firm reliance upon its practicability. By degrees, I abandoned all present thoughts of joining the new association of which I saw flaming accounts

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* See New View of Society, for similar expressions.

in the public papers, and begged Mr. Ashley to procure me some employment.

"With all my heart," said he, "what are you fit for? Can you plow?"

"No, sir—but I can tend a spinning jenney."

"Can you mow?"

"No."

"Thresh?"

"No."

"Plant corn?"

"No."

"Make cider?"

"No."

"Have you learned any trade?"

"No—except tending a spinning jenney."

"Can you handle an axe?"

"No."

"A spade?"

"No."

"Do you know when to plant, when to gather in harvest, and at what season to perform the different operations of rural economy?"

"No—all seasons were alike with us, and there was a time not for all things, but for one thing only, watching the spinning jenney. But I dare say I can learn—try me, sir."

Accordingly I went into the fields with Mr. Ashley, to assist in some light labours of the field, but I made a poor hand of it. One day he set me to

driving a cart, and found me about an hour afterwards, standing before the wheel watching till it should begin to go round like a spinning jenney. From time to time, he tried me at other occupations, but I know not how it was, I could never get on, for want of the inspiring din, and clattering wheels of the cotton machinery, and was either found quite becalmed in the fields, or watching the motion of a water wheel, belonging to a mill upon the estate. At length, however, Mr. Ashley hit upon an expedient, that partly answered the purpose of setting my machinery going. He procured a machine called in America, a horse-fiddle, which was placed on a pole in the field where I was to be employed. So long as that went, I went; but when the weather was calm, the fiddle stopt, and so did I. The people about laughed at me most unmercifully, but I was delighted with the experiment, which demonstrated entirely to my satisfaction, that I had become a perfect Man Machine. In fact I became more than ever a convert to my master's new system, and nothing could afterwards shake my conviction of the perfect ease with which the perfectibility of man might be attained, if we could only get rid of "the circumstances," and their confounded abettors the rascally "counteracting principles."

But not even the consciousness of superiority, can sustain a man for any length of time against the ridicule of all around him. I began to be tired of

Mr. Ashley, and he, I believe, became quite tired of me, finding I was proof against his sophistry. It one day chanced to fall out, that I came across the sublime theory of the CONCENTRIC SPHERES, which struck me exceedingly. I determined at once to leave Mr. Ashley, and as I had become convinced that the outside crust of this world was not fitted for my master's theory, nor my master's theory for it, decided to try the experiment, and see what the inside would do for us.

"Where art thou going, my good friend," said Mr. Ashley.

"To search for the perfectibility of man, among the Concentric Spheres."

"Right, thou wilt find them together, I'll warrant thee." And thus we parted. THE REST YOU KNOW.

STORY

ON THE

SECOND WISE MAN OF GOTHAM.

THE PERFECTION OF REASON.

"My brother Harmony," said Mr. Quominus, the second Wise Man of Gotham, "has fallen a sacrifice to the perfectibility of man; I, on the contrary, am a martyr to the Perfection of Reason. I was born in a country, where they have sufficient wisdom to make their own laws, but not quite enough, as it would seem, to understand them afterwards. In order to remedy this singular inconvenience, they resorted to a method equally singular, and original. They enlisted the wise men of other nations in their behalf; and justly considering that it was quite a sufficient effort of human wisdom for one country to make its own laws, they determined to resort to another for their interpretation. Accordingly, they made a vast number of laws, believing they could not have too much of a good thing, and then sent beyond sea to get them explained. In a couple of hundred years, these explanations, being all carefully recorded in books, amounted to upwards of three thousand volumes, of goodly size, containing upon an average, each, one hundred contradictory interpretations of different wise men. Such a mass of wisdom, and such a variety of opi-

nions, supported by such unanswerable arguments, never got together under the same roof in this world. Some very aged persons, who had lived long enough to get about half through this invaluable collection, discovered that it was like the sermon that suited any text, and the text that suited any sermon—for every man could find in it, a decision, or at least, an opinion, to suit his purpose. A system so supported on all sides, by all sorts of opinions, certainly merited the honour of being called a science; and such a science, as certainly, deserved a respectable name. It was accordingly aptly denominated THE PERFECTION OF REASON, because it furnished every man, however different his opinions might be, with reasons in support of them.

In addition to this great requisite of every perfect system, namely, that it should suit every body —this accumulation of contradictory opinions, it was affirmed, possessed another irresistible claim to the dignified appellation it had obtained. It cannot be denied, said the admirers of this science, that although the laws are expressly devised to settle such disputes, or conflicting claims, as might otherwise occasion a resort to force, still it is never the intention of a wise legislator, that people should actually appeal to them for this purpose. They are merely to be held up *in terrorem*, or rather like buoys, to float on the surface of society, for the purpose of warning mankind of the shoals and quick-

sands below. In this point of view, then, it is apparent, that the more intricate and inconsistent the laws, and the more various and contradictory their interpretations, the greater delay and expense there will be found in settling appeals to them, and consequently the number of law-suits be greatly diminished. Thus, when the laws become perfectly unintelligible, they are absolutely perfect, for then nobody in their senses will go to law, and the science will do its duty after the manner of a scarecrow, which frightens the birds from the corn, merely by flourishing its unintelligible rattle. Thus you see, that no other name than that of the perfection of reason, could possibly have suited this excellent science.

In addition to the singular happiness of being born in a country, governed according to the perfection of reason, I was brought up under an uncle, (my father dying when I was quite a child,) who adored the law, and might be said never to have had any other mistress. He was a bachelor, of competent estate, but rather indifferent education —he was better fed than taught; and, when I say he could read and write and cipher a little, I go as far as strict biographical veracity will warrant. He was without a profession, rich, and a bachelor. Such a man has but one chance for happiness in this world—he must get unto himself a hobby, and ride away as if the sheriff was at his heels. To

trace a man's hobby to its first cause, is like searching for the source of the Niger. Yet I think I can account for that of my uncle. He had gained possession of a large part of his property, by a lawsuit, and ever after held law to be the perfection of reason, while the honest gentleman who lost the estate, held it in utter abhorrence. The suit lasted nineteen years, at the expiration of which, there was found a great flaw in the defendant's title. He had no more money, and no man ever successfully appealed to the perfection of reason, with an empty pocket.

From this time, it was his great delight to attend the courts, where, as he used to affirm, with surprising satisfaction, they sometimes nearly argued his head off his shoulders, and so confounded his notions of the distinctions between right and wrong, that he could hardly tell the difference, until he went home and looked over the ten commandments. I remember the delight with which he related a case he had read in some book of reports, where a man tried on a confession of murder, was acquitted by the jury, under the express direction of the judge, because the charge set forth that he committed the murder outside, whereas it appeared in evidence that it was done inside, of a certain door. Another time, he fell into an ecstasy at a decision which he always held to the day of his death, to be the most exquisite specimen of nice

legal distinction he had ever met with in the whole course of his life. It seems a fellow had been caught with a bundle of counterfeit notes, which the indictment set forth was found in his right breeches pocket, when it appeared in evidence it was taken from his left breeches pocket. "After three days hard argument, the court decided," said my good uncle, rubbing his hands—"they decided that the prosecutor had mistaken the *locus in po* or the *hocus in quo*"—my uncle, as I said before, was no scholar—"and therefore the prisoner must be acquitted." Had the law never done any thing else, but make this distinction between a man's pockets, it would in his opinion have fully merited its title of the perfection of reason. "It is worth while to go a thousand leagues," would he say, "to find out how little the actual commission of a crime has to do with the real matter of fact, in the eye of the perfection of reason. It is all settled by the *hocus in quo*—which I suppose is what we call *hocus-pocus* in English." Like a vast many ignorant people, he mistook quibbling subtilty for deep reasoning—the art of confounding with that of enlightening the understanding—incomprehensibility for clearness, and perplexity for wisdom—forgetting, or rather, never having discovered, that true wisdom is perfect simplicity.

The good gentleman, however, almost exclusively confined his idolatry to the common law. He

considered it not only the perfection of reason, but the wisdom of ages. Nothing, indeed, could equal his admiration of the common law, except his thorough contempt for statute and civil law. If he could have had his will, he would have outlawed the statutes, and made it capital to read Justinian. Mercy upon us! how he would rail at Caius, Ulpian, Papinian, Tribonian and the rest of the civil law gentlemen, whom he called by no other name than pettifoggers of the forum. Not that he knew, or had ever read a word of either of these writers. His contempt was perfectly gratuitous—it was the homage of ignorance at the shrine of prejudice. Next to his veneration for the common law, was his profound respect for English judges confounding—I beg pardon, expounding it. Even their contradicting themselves every day, did not alter his opinion that they were the only inspired high priests of the perfection of reason. Towards the judges and jurists of other countries he looked rather askew, believing that human reason never attained to any tolerable degree of perfection out of the three kingdoms, and that a French, Italian, German, or Dutch judge, knew no more about managing the common law, than they did about boxing, or any other abstruse science. But of all the judges, past or present, he, like most ignorant people, held those of his own country the cheapest for divers reasons. He maintained that they either had

no opinions of their own, or were afraid to assert them. That they were in fact little better than instruments in the hands of subtle lawyers, or mere echoes of the decisions of others. He once went so far as to swear, he could teach a parrot to retail the decisions of his betters, and thus make a capital judge of him, for his gravity would pass for wisdom. So far indeed did he carry this unjust prejudice, as to declare it his firm conviction, that if the developement of their organs, was examined by a competent phrenologist, nine out of ten would be found destitute of the organ of judgment. But in this, I am convinced, notwithstanding the causes I have to complain of the perfection of reason, the good gentleman carried his prejudices beyond all reasonable bounds. I have had, as you will perceive in the course of my narrative, pretty sufficient reason for dissatisfaction on this head. But notwithstanding I am free to bear testimony to the talents, learning, and uprightness of the great majority of the judges of my native country. As respects the administration of justice, they are in my opinion, as able and upright, as the perfection of reason will permit them to be. If they err at all, I am inclined to think it is in permitting too great a latitude to the subtilties and sophistries of ingenious pleaders; and in giving undue weight to ancient precedents, derived from reasons long since inapplicable to the state of our manners, habits and social relations. A

want of sufficient confidence in their own opinions, appears to me another fault, which, however, almost deserves to be pardoned on account of its novelty. It has happened to me more than once, to hear a judge decide upon a case, on the ground of some recorded decision of another judge, when I myself would a thousand times rather have trusted it to his own unbiassed sense of right and wrong. It seems odd, to see a lawyer teaching a judge his lesson, out of a pile of books, and making him who is there as a master, appear more like a scholar, learning his alphabet from some beardless pedagogue.

However this may be, my uncle had a most vehement and perfect veneration for the common law, and for English judges sitting in judgment upon it, and from time to time pronouncing it to be, sometimes flesh, sometimes fish, and sometimes fowl. I verily think, if he could only have found out in what impenetrable labyrinth the common law was enshrined, he would have made a pilgrimage to the spot. Indeed, he once talked very seriously of going to England only to see the chief justice of the common pleas in his gown and wig. But he was prevented by one of those untoward accidents, which disconcert the great schemes of life. He died before he could come to a determination. This, however, was long after he had condemned me to study the perfection of reason. He decreed

that I should be a lawyer, though I am unalterably convinced, that both nature and fate intended me only for a client.

I was accordingly sent into the country to live with a learned jurist, who boarded a certain number of pupils, to whom he read law lectures three times a week. In the intervals, we dipt into the works of the famous writers who have analyzed and laid down the great principles of the law. We knew nothing, however, and learned nothing of the real mysteries of the profession; nor did I discover until after long experience in the world, that the theory and the practice of the law, were no nearer related to each other, than the two extremes of the same earth. They were the antipodes of each other. Here in the retirement of a country mansion, and apart from the great business of the world, which alone furnishes the practical application and infallible test of all human institutions, I revelled in the beautiful theory of the law. Every where I read the most lofty and eloquent eulogiums on the science, from the pens of the greatest names; and every where I saw in the English books, the highest, most unqualified testimony to the unequaled excellence of the common law, above all others. It was the aggregate of human experience, the perfection of reason. I actually fell in love with it, and studied with an amorous enthusiasm which I can hardly believe possible, now that my mistress has jilted me so many times.

At the end of three years, I was sent for to my worthy uncle, who was dangerously ill. I found him in the hands of a physician, who had himself invented six new diseases, and of course must have been a clever fellow. But my poor uncle's time was fast approaching—he grew worse every day, and the doctor invented a new name for every new symptom that appeared. Calling me one morning to his bed side, he expressed his affection for me, and said he had left me all he was worth in the world. "You will find yourself rich—but remember that riches make themselves wings, and fly away. Remember too, that the only way to restrain their flight, is by a proper knowledge of the laws whereby you will be enabled to take care of your wealth. By knowing what is lawful and what is not lawful—by applying the immutable rules of right and wrong as defined by the laws—I mean the common law—you will have a due sense of your rights and duties, and thus no danger can befall you."

Rising upon his elbow, he continued, with an enthusiasm that lent new light to the dying taper—

"Law is indeed the perfection of reason—therefore it must necessarily conform to the purest principles, and inculcate the soundest doctrines of morality. It is therefore the great worldly monitor to teach us what is due to ourselves and to others. It is in fact, a practical commentary upon the great

and divine precept, 'that we should do to others, what we would they should do unto us.' It is likewise a 'rule of action,' as hath been truly defined. It must therefore be founded upon immutable principles. It is intended for the daily use and government of people of common sense—therefore, it must of necessity be so plain and simple in its precepts, as to be within the comprehension of the most ordinary understanding. Dost thou reverence this noble science, my dear nephew?"

"I do," replied I, bowing reverentially.

"Dost thou believe in Holt, Hale, Somers, Hardwicke, lord Raymond, chief justice Coke, judge Buller, lords Mansfield, Thurlow, Ellenborough and all the English judges?"

"In every mother's son of them," said I, little wotting that I had pledged myself to the belief of greater contradictions, than I could digest for the rest of my life.

"And in the common law?" quoth he.

"I believe it to be the perfection of reason."

"Enough, my dear son—now take my last advice. Never resort to any tribunal but the common law, if you are aggrieved, assaulted, or defrauded. Eschew the court of chancery, as clogged, impestered, and corrupted by an infusion of that mischievous quality miscalled equity, which the common law abhorreth. Thou hast only to appeal to the common law for redress—for that is the perfection of reason."

"It is the perfection of justice," said I.

"I affirm it with my latest breath," said my good uncle, and expired with a smile of triumph. When the doctor arrived he discovered symptoms of a new symptom, which he immediately christened by a new name. There was a swelling under the tongue.

"It was only an unnatural expansion of the organ of common law—did he examine the angle of constructiveness," interrupted Mr. Le Peigne, the third Wise Man of Gotham.

"Not that I know of," said Mr. Quominus.

"What an imperfect machine your uncle must have been," said the Man Machine, "not to know that in the perfect state of society, there is no use for either law or gospel."

"Very likely," replied Mr. Quominus, "but he was kind to me, and left me a good estate. I am therefore bound not to hear his memory insulted."

"No intention in the world," returned the other, "but as you made free with the old gentleman yourself"—

"That may be," quoth Mr. Quominus, "but I don't like other people to take the same liberties."

He then proceeded with his narrative.

Finding myself in possession of a plentiful estate, I determined not to enter upon the practice of the law, except now and then *con amore*, and in the meanwhile, amuse myself with such recreations as my fortune placed in my power. As I was fond of

riding, I bought a horse of a famous dealer, for which I paid a high price, being verbally assured that he had an amazing number of good qualities, and no faults. In a day or two, I discovered he was broken-winded, and blind of an eye; of course I insisted on returning the horse and receiving my money back again, on the ground of deception. The jockey refused, alleging that neither loss of wind, or of an eye, was the fault of the horse, but his misfortune, and therefore when he denied his having any fault, he practised no deception whatever. Moreover, he snapt his fingers at me in defiance.

This was in my opinion a proper occasion to resort to the perfection of reason for redress. I accordingly invoked the shade of my uncle, and commenced taking my first practical lesson in the common law, by bringing a suit against the jockey. I cannot describe my feelings on this first occasion of applying to the grand tribunal of human reason—I looked upon myself, as now exercising the highest privilege that could possibly fall to the lot of humanity, and entered the court with the awe of a young devotee for the first time kneeling at the shrine of his patron saint. Being somewhat addicted to blushing, which our lecturer assured us was always a sign of a bad cause, I employed on this occasion, a lawyer, who was seldom, if ever, guilty

of that legal enormity. The jury being called and sworn, the trial commenced.

I proved all I thought necessary, namely, that I had paid the full price of a good horse, and got one that was good for nothing. I was satisfied that in the eye of the perfection of reason, this would of course be deemed a case of deception, if not fraud. But I was mistaken with a vengeance—the perfection of reason was not so easily satisfied. I was cross questioned for three quarters of an hour, by a fellow that had the throat and the impudence of ten brazen trumpets, until I began to doubt whether I had actually bought a horse, or a cow. I fell into a horrible perspiration. As the trial proceeded, I found this was not by any means so clear a case as I imagined. Common sense to be sure would have been perfectly satisfied that I had been cheated; but in the eye of common law and the perfection of reason, it appeared exquisitely doubtful. The difficulty was in finding out whether I had in fact received a warranty for the horse. My lawyer insisted that paying the full price of a good horse, was presumptive proof of warranty—no man in his senses would wilfully give as much for a horse he knew to be bad, as for a good one. The brazen trumpet then attempted to prove me out of my senses, at the same time stoutly maintaining that by the perfection of reason, every man had a right to the benefit of his superior knowledge in ma-

king a bargain. He has a right too, to keep secret every fact that may operate to his disadvantage.

"*Accusare nemo se debet nisi coram deo*," cried he, "no man is obliged to accuse himself—or his horse."

"*Ignorantia facti excusat*," exclaimed my champion, "my client was ignorant of the facts of blindness and broken wind."

"*Ignorantia non excusat legem*," brayed he of the trumpet.

"*Communis error facit jus*." retorted my lawyer. "Lord Raymond is on our side, in addition to whose high authority, I have four chief justices, one baron in eyre, and equity besides in our favour."

"A fig for equity—common law has nothing to do with it," brayed the trumpet.

"*In omnibus quidem maxime tamen, in jure Aequitas est*," exclaimed our side—"precedents innumerable in our favour."

"Pish!—*Judicandum est legibus non exemplis*," quoth trumpet—

"Caius, Ulpian, Tribonian."

"St. Thomas Aquinas."

"The French judges on our side."

"The English judges on ours."

"Do unto others as you would they should do unto you."

"That's not law."

"No, but its gospel."

"The opposite counsel must be hard run for law, your honours, when he is obliged to resort to gospel."

"*Omne actum ab agentis intentione est Judicandum*," said our side.

"CAVEAT EMPTOR!" answered the brazen trumpet.

This did our business—at that awful annunciation my counsel was struck dumb, and word spake never more—the judge nodded approbation—*Caveat emptor* carried the day—the jury gave a verdict in favour of the jockey, and my horse being thus legally reinstated in the possession of his eye and his wind, was left on my hands as an excellent purchase.

I must acknowledge this decision a little undermined my faith in the common law, as in addition to a bad horse on my hands, I had a bill of costs to pay besides. However, impressions of long growth and standing are not worn away at once. To be sure, law was I found rather an expensive article. But after all, it is the price that constitutes the value of a thing in the common estimation, and it is doubtful whether the ignorant would not come to despise the law. if they could get it for nothing. Upon the whole, I continued to cherish a profound devotion for the perfection of reason.

This devotion was, however, destined to receive another shock, in consequence of a very trifling af-

tair, which, however cost me no small expense and vexation. It happened that one day being in immediate want, I called in at a shop, picked out a pair of ready made boots, paid for them the full price and ordered them to be sent home. After wearing them a day or two, they went to pieces, the leather and workmanship being equally bad. Upon the cobbler absolutely refusing to take back the boots and return the money, or make any other satisfaction, I again resorted to the great tribunal of human reason. I was certain the law was on my side on this occasion, for I had witnessed not long before a decision on a case which I believed exactly parallel, in which the buyer had recovered. I employed the same lawyer, who as ill luck would have it, was again opposed by he of the brazen trumpet.

To make all sure, the boots were produced in open court, and admitted on all hands to be utterly infamous. Even the opposite counsel could say nothing in their behalf. But he had a great deal to say for all that. He produced six maxims in good law latin in his favour; but as my counsel matched him with six more on our side, that account was pretty well balanced. We then quoted opinions and decisions without number, showing there was always an implied warranty where a fair price was given for a pair of boots. The opposite side denied that this was law, and to it they went, tooth and nail, marshalling Grotius, Wolf, Puffendorf, Ulpian,

Papinian, and Tribonian, Hale, Holt, Mansfield, Thurlow and Ellenborough, against each other; for, however strange it may seem, the perfection of reason, is precisely what the most reasonable people differ about in toto. There was a bloody battle of words between them, and all about a pair of bad boots—that nobody denied were bad.

"'Tis contrary to reason that a man should pay for what is worth nothing," said we.

"Reason has nothing to do with the question," said the other.

"Law is the perfection of reason—and the perfection of reason is to be honest."

"I appeal to the court if that is law?"

The court decided it was not law.

"'Tis reason and philosophy. Socrates, says that the principles of all law are founded in philosophy."

"Pooh!—Socrates was no lawyer."

"But he was a sage of antiquity."

"Yes, but he was not a sage of the law—and as for antiquity—they had no books of reports, and how should they know any thing of the law?"

"But for all that," said my counsel, "lord Mansfield calls Socrates 'the great lawyer of antiquity.'"

"The d——l he does—I beg pardon of the honourable court—but really my surprise—lord Mansfield says so—why, then there is something in it. *He* was a sage of the law. I submit to the defini-

tion of Socrates, and my learned friend is welcome to all he can make of it."

The two combatants, each in his turn, read a number of opinions and cases, from a pile of books as high as a man's head, each differing from the other so completely, that I was at that moment seriously inclined to compare the law to Hydra, with its hundred heads, each uttering a different language. What, however, surprised me most, was, that the opinions of our own judges seemed to be of little or no authority. Whence I concluded that human reason was not quite so perfect here, as in England and elsewhere. I began to be weary of all this turmoil about my boots, and fairly wished them in the Red sea.

"May it please the court," said I, with due submission, "I thought I came here to be judged by a court and jury of my own fellow citizens and not by Grotius, Papinian, or my lord chief justice of England, whom I don't wish to trouble about such a small affair. To cut the matter short, if the counsel on both sides will say no more about it, we will put the law quite out of the question and leave it to the jury to say whether the boots were bad or not."

"That is impossible," said the judge, "the law must take its course now, and the cause be decided *secundum artem*. Go on, gentlemen."

"*Facilis descensus*," said the brazen trumpet, winking at my counsel.

Away they tilted again, and the desperate battle of the books was renewed with greater vigour than ever. Common law, civil law and statute law took the field in the armour of a thousand words, and long before the contest ended, neither myself or the jury, such is the perfection of reason, could tell what was law, or what was reason—or whether there were any such things in the world. Law maxims flew about like hail, and as it appeared to me quite as much at random, for I confess I could not make out the application of some of them.

"*Velutas pro lege semper habetur.*" said the brazen trumpet, "it has always been the custom to sell bad boots and that is common law."

"*Quid leges sine moribus vanae proficiunt?* What are laws without morals, as Horace says."

"Horace was a jack pudding—the learned counsel is irrelevant."

"*Ubi jus incertum ibi just nullum*—uncertain law is no law."

"*Tot homines quot sententiae*—every man has a different opinion of his own."

"*Semel malus semper praesumitur esse malus*—your client has often cheated before."

"CAVEAT EMPTOR!"

I began to tremble and so did my counsel. Nevertheless he would not give up the ghost—but faintly rejoined—

"*Aequitas sequitur legem.*"

"CAVEAT EMPTOR!"

"*Actus legis nulli facit injuriam*," said we still fainter and fainter.

"CAVEAT EMPTOR!"—brayed the trumpet, with a blast that carried all before it. My counsel, after gaining a little breath, said he committed his cause to the court and jury. The judge then addressed the jury, as nearly as I can recollect, as follows:

"Gentlemen of the jury,

"There are four kinds of law, the civil law, the canon law, the statute law, and the common law. Three of these are decidedly against the defendent, but the fourth, which is the perfection of reason, is fortunately for him, at least one half on his side. It is true the other half is against him, but of that I make no account since it appears sufficiently evident from the authorities produced by the learned counsel for the defendent, that the half of the law which is against him does not apply to the present case.

"Gentlemen, law is the perfection of reason, and of course, nothing but a perfect reason can comprehend it. It is, therefore, not to be wondered at, that there should be so many different opinions as to what law is. It is also a rule of action —but every rule has its exceptions, and in some cases the exceptions are very often too strong for the rule. Law, gentlemen, I speak of common

law, is also the wisdom of ages; but as might reasonably be inferred from experience, the wisdom of one age being the folly of another, and the wisdom of different nations altogether different in kind and degree, there is much difficulty in defining exactly what is the wisdom of ages. That it is the common law is certain, but nobody can tell exactly what is the common law. It is best defined, as the perfection of reason.

"Nevertheless, gentlemen of the jury, there is not that uncertainty in the rules of the common law, that might be inferred from these observations. Various judges decide in various ways, and upon various grounds. Sometimes we go according to Lord Coke; sometimes according to Lord Hardwicke; sometimes according to Lord Mansfield—sometimes according to law—and sometimes, but very rarely according to our own conscience and judgment of the case before us. Now, in this case, gentlemen of the jury, conscience has nothing to say—it must be quiet, and refrain from interfering in the deliberations of the court, and the decision of the jury. It is a question of common law—and not of justice or equity. It is not for us to inquire whether the boots were bad boots, or whether in conscience or in honesty the maker ought to take them back again, but whether the great maxim which lies at the root of the common law, of *Caveat emptor*, applies to this particular case. Gentlemen,

the buyer is bound to beware in all purchases, and most especially in purchasing from persons of bad character. It appears by the testimony of credible persons, that the defendant is notorious for selling bad boots. Now if a person will deal with a tradesman of bad character, it is his own fault if he is taken in. The fault in the eye of the common law, is not in the seller for being a rogue, but in the buyer, for not governing himself by the maxim *caveat emptor*, and taking care of himself more especially on this particular occasion.

"But we will admit for the sake of argument, and not with any view to weaken the cause of the defendant in this suit—that he is a man of fair character. Still, gentlemen of the jury, this would furnish no justification to the plaintiff in disregarding the great maxim of *Caveat emptor*, since the common law, which is the perfection of reason, goes upon the supposition, that every man, whatever may be the character he bears in society, is a rogue in grain, and therefore, in dealing with all men it is necessary to bear in mind, that *Caveat emptor*. Hence it is absolutely requisite, that in all purchases, the buyer should procure a warranty in order to guard against this presumption of the common law. If he neglect this, he cannot pretend to recover damages for any fraud or deception, except in particular cases.

"In purchasing, for instance, a pair of ill made

boots, the whole question of fraud or deception turns upon the fact whether the shoemaker took measure of him for that particular pair of boots or not. If he did, the common law holds, that this taking measure amounts to a warranty, and the buyer is released from all responsibility to *Caveat emptor*. If, on the contrary, no measure was taken, the bootmaker however bad may be his boots, is exonerated from all blame and responsibility in the eye of the common law. And this distinction, gentlemen of the jury, is manifestly founded in the perfection of reason, and the wisdom of ages. The mere act of measuring a man for a pair of boots, is in the eye of the common law in the nature of a covenant with warranty. And why?—a shoemaker's measure is either of parchment or paper—if of parchment the covenant and warranty is the stronger. Now, gentlemen of the jury, it cannot be necessary to apprise you, that all covenants are written either on parchment or paper, and according to the reasoning of the common law, the substance or material made use of in measuring a man for a pair of boots, being the same with that used in all covenants, it follows, from analogy, that it is in the nature of a covenant with warranty. This is one ground, therefore, on which the law makes so wide a distinction between being measured for a pair of boots, and purchasing the boots without being measured. Another ground of distinction is this. The pre-

sumption is, that when a man buys a pair of ready-made boots of bad quality, without having been measured for them, that these boots were actually made for another person, or at least not expressly for him. The intention, therefore, of the maker was not to cheat him, but some other purchaser. All that can be said is, that a bad bargain lay in his way and he found it. There was no intention to defraud him especially, and therefore, in the eye of the common law, no fraud was practised towards him individually. The buyer in this case has clearly no right to redress for an injury not originally intended against him, but some one else. It is like an unintentional blow, which it is not lawful for him to resent, and it is in the nature of a sort of Quixotic career, to undertake resenting wrongs, or redressing injuries intended for other people.

"There is another light, gentlemen of the jury, in which the conduct of the defendant is justified in the eye of the perfection of reason. It is held that every man is permitted to make a fair use of his superior sagacity and knowledge, and that ignorance is no ground on the part of the buyer for setting aside a covenant. The ignorant indeed are apt in the extreme, to confound this exercise of superior sagacity and knowledge, with downright fraud and deception. But in the eye of the common law, and consequently in that of reason, there is a wide and manifest distinction between deceiving

an ignorant man by superior knowledge, and deceiving him wilfully.

"Knowledge, gentlemen of the jury, is a quality of which a man cannot divest himself at pleasure. It is impossible for a wise man to be ignorant—or to refrain from making use of his wisdom. If then by an involuntary exercise of his knowledge of facts, of value, of defect, or of quality in an article, he deceives one ignorant of all these, and makes a good bargain out of him, in the eye of the common law, which is the perfection of reason, this is but the natural and inevitable consequence of the eternal and irreversible distinction between knowledge and ignorance. As well might you expect the stronger animal to yield to the weaker in a contest of strength, as knowledge to yield to ignorance in a contest of bargaining. The more knowing man therefore does not deceive the other wilfully, which constitutes the essence of every offence, but simply because he cannot help it if he would. Physicians are punished for being flagrantly ignorant of their profession, and people that choose to make bargains without knowing any thing about it, must take the consequences.

"The law in this case, gentlemen of the jury, is, that the plaintiff, not being measured for his boots, there is no implied warranty. The defendant is therefore to be considered as having merely made a legal use of his superior knowledge of boots, and

the complaint of the plaintiff must be dismissed with costs. You will find this laid down distinctly in Twigg *vs.* Twist—and innumerable other cases. The principle may in fact be said to be settled on the immutable basis of common law, common sense and common justice."

The jury were so convinced of the soundness of these principles, that they gave a verdict against me without leaving the court. One of them, it is true, made me an apology afterwards. "We were convinced you had been cheated abominably—but the law was against you, and what could we do, my good friend?" I don't know, not I, replied I, hardly knowing what I said, for to confess the truth, I began to be strangely bewildered in the fathomless profundity of the perfection of reason. It was three days, before I got rid of a strange buzzing in my head, and came to any tolerable perception of the distinction between right and wrong. Indeed, I am free to confess, that this argument of the judge, has ever since strangely confused me, so that to this day, I am apt to mistake the voice of the law, for the whisperings of conscience; and to confound the latitude allowed by the former, with the restrictive morality of the latter. The continuation of my story will furnish more than one example of this.

This last decision in the matter of the boots, made me for sometime rather shy of the perfection of reason, and I came to a resolution, like some

quarrelsome persons who get winged once or twice in a duel, never to go to law again, except on the defensive. But it was not long before my habitual confidence in the common law, together with the last advice of my good uncle, again made me the victim of *Caveat emptor*.

It happened about this time that an agricultural society was instituted among us, and I became a member, having a landed estate in the neighbourhood. In order to prove myself worthy of my station, I went largely into the improvement of the breed of horses, and purchased several fine ones from time to time. One day a fellow brought me a most beautiful animal, which he presented to me as a full blooded horse, with a pedigree equal to a first rate legitimate monarch. After a good deal of chaffering, I purchased him at a great price, and the exhibition of the society happening the next morning, presented the animal, in the full expectation of bearing off the prize for the best horse in the county. You may guess my astonishment and mortification, when the committee of investigation solemnly decided that my horse was a mare. They all burst into a roar of laughter—the story circulated through the fair with prodigious rapidity, and there was a universal giggle that shook the very firmament. I was quizzed to death, and to this day the story is regularly told at the anniversary dinner of our society. I was mortified to the bone, and

determined on once more appealing to the perfection of reason, in spite of *Caveat emptor*, of whom by this time I began to stand in great awe. A fraud so open and palpable, I was assured could not be sheltered even behind his sevenfold shield. I could not rest a moment till I had brought this rogue to condign punishment—which was very unfortunate, for under various pretences, he managed to keep off the suit for two years—so that I lost two years sleep, in addition to being the laughing stock of the society. But for all this there is no doubt that the maxim, *dilationes in lege sunt odiosae*—is as true as the gospel. My uncle believed it, and so did I. But time brings all things about at last. Time gives and time takes away—time strengthens, time weakens—time builds up, and time pulls down—time brings us into the world and time takes us out of it—time in fact does every thing—it can even put an end to a lawsuit.

My uncle used to dwell with rapture on the sublime gravity of the law, and of those by whom it was administered. But I am bold to say that on this occasion, there was not much to be said in favour of either. However, as usual, I proved the sex of the animal, and the fact of her being imposed on me for a horse. This seemed all that was material to a decision of the case, and I remained a few moments quietly expecting a charge

from the judge to the jury denouncing most exemplary damages for the injury done to my character and feelings, as well as a restitution of the purchase money. So sure was I of the justice of my cause that I had not employed any counsel. This was a great oversight, since experience has taught me that justice is blind, and of course requires a lawyer to direct her. By this omission of mine, she fell into the hands of the opposite counsel, who led her astray entirely from my interests. His address to the jury was, as nearly as I can recollect, as follows:

"Gentlemen of the jury: The plaintiff in this suit, relying, it would seem, on the justice of his cause, has omitted to employ counsel, and thereby set a most mischievous example to the world. He has in effect committed a fraud, by withholding from some worthy member of the profession the fee to which his labours in the acquirement of legal knowledge have justly entitled him. Gentlemen, you are bound to discourage this dangerous example, by an exemplary verdict, if it be only on the ground, that should it become general, you will in future be deprived of the benefits of legal disquisition, and left as it were alone in the wilderness of the law with no other guides to a just decision, but the feeble and uncertain lights of reason and conscience.

"Gentlemen of the jury, the case on which you are now to decide, is one of extreme intricacy, al-

though to the eyes of superficial persons, it may appear as clear as the sun. Indeed it is a common and fatal error, to suppose that justice, law, and equity, can possibly be apparent to reason and conscience at the first glance. Justice, gentlemen, is represented as blind, and for what reason? To indicate that she cannot see, except through the magic spectacles of the law, upon the noses of the learned counsel. Law, gentlemen, is represented as a bottomless pit, and why? To indicate metaphorically, that profound depth and obscurity which baffles the visual organs of uninspired people. Common law, gentlemen, what is it? It is the sublime of incomprehensibility—it is the philosopher's stone, which has baffled the wisdom and researches of ages—it is nothing, it is every thing—it is here, there, every where, and nowhere. Sometimes it is the conscience of the judge, and sometimes of the jury—sometimes it is the voice of the dead, and sometimes of the living—it comes from the mouldering tomb, and from the judges' bench—it is sometimes in the head and sometimes in the heart—in short, it is an ethereal essence, eluding the senses, and sporting before the imagination—a mysterious, inexplicable, indefinable and invisible guide, that takes us by a hand which we cannot feel, leads us by a light which we cannot see, to a consummation utterly incomprehensible! I beg pardon for this digression, gentlemen of the jury, to which I have

been tempted, by my veneration for the most sublime and mysterious of all sciences, and my desire of warning you against indulging the common vanity of supposing that the case is perfectly clear because it appears so to you. I trust, if you will honour me with a portion of your serious attention, I shall ere long convince you, that it is one of the most difficult and complicated cases on which the wit of man was ever called upon to decide. It is the error of ignorance to make up its mind quickly—it is the province of learning to preserve the judgment in that salutary equilibrium of doubt and uncertainty, which keeps us from deciding at all, for fear of deciding wrong.

"Gentlemen of the jury, the question does not turn upon a mare or a horse, nor upon the fact of the animal being purchased by the plaintiff, for one thing and turning out to be another. All this, I say, has nothing to do with the question. The question is, whether there was fraud in the contract or not, and to this I shall confine my argument. Gentlemen of the jury, there are cases of fraud, and cases of deception—there are intrinsic defects and extrinsic defects that, under circumstances, may vitiate a contract. Intrinsic defects are different from extrinsic defects, and extrinsic defects are different from intrinsic ones. Intrinsic defects are such as may not appear externally, and therefore they may be made legal grounds for a presumption

of fraud. Extrinsic defects, on the contrary, are such as address themselves immediately to the five senses, and are obvious at first sight. In order, therefore, that the plaintiff may entitle himself to relief in the present case, it is necessary for him to prove that he was blind at the time of making the purchase. If he was not blind, he must of necessity have perceived the difference between a mare and a horse, and having so perceived it, if he purchased with his eyes open, he purchased wilfully, and cannot plead deception. He became in fact a party in the fraud.

"Gentlemen of the jury, there are frauds so monstrous as to amount to no frauds at all—deceptions so gross, open and palpable, as to argue, either wilful co-operation on the part of the person said to be deceived, or a total deprivation of the organ of making bargains. In such cases it is necessary for the person aggrieved, and seeking relief at the hands of justice, to prove himself either *non compos*, or so near it as to come within the statute of imbecility? The plaintiff has neither done one or the other; on the contrary he affects to be learned in the laws, and a judge of horses, although, I must take leave to say that he is not very profound in either. Upon the whole, gentlemen of the jury, there is no ground for the charge of deception urged against my client. The fraud would be too monstrous for human credulity; it is, as I said before, too great for a fraud.

"But, gentlemen of the jury, we will suppose, for the sake of argument, the plaintiff in this suit is not only blind, but actually *non compos*. We will suppose him, moreover, a notorious swindler, pick-pocket and cheat—we will moreover suppose him a person that has murdered his father, mother, uncle, aunt, and several others of his nearest relatives—we will, in addition to this, suppose"—

I could stand this no longer—

"I beg pardon of the court," said I, "but the gentleman has no right to suppose any such thing."

"What, not for the sake of argument? I appeal to the court, whether it is not an allowable fiction of law, to suppose, for the sake of argument, any person we please, a rogue."

The judge decided that fictions of law, and argumentative suppositions, were allowable, and the counsel proceeded—

"As I was saying, gentlemen of the jury, when the gentleman thought proper to interrupt me—we will suppose—but, as I perceive, these suppositions are not relished by the gentleman, whose conscience seems a little sensitive on these points—we will suppose, gentlemen of the jury, for the sake of argument, that one half of you were *non compos*, and the other half utterly incapable of distinguishing a mare from a horse. Suppose further, for the sake of argument, that one half of you were intoxicated at this present moment, and the other half asleep.

Or suppose, gentlemen of the jury, for the sake of argument, that you were a low-bred, uneducated, ignorant, obstinate, dirty"—

Here one of the jurymen, a stout, hard-featured fellow, with little of the polish of any court but a court of law, started up and exclaimed in a passion—

"I'll tell you what, Mr. Lawyer, if you go on insulting the jury with your suppositions, dam'me if I don't knock you down—for the sake of argument."

The counsel was rather alarmed at this formidable threat; but the privilege of supposition was too dear to his profession, and too essential to a long speech, to be easily given up.

"Will the court permit itself to be insulted in this manner?" said he. "Shall a counsel be interrupted in the regular discharge of his duty to his client? I throw myself upon the protection of the court, and appeal to your honour, whether I have exceeded the reasonable line of discussion allowed to counsel."

His honour decided that he had not, and threatened to commit the juryman for contempt. "Go on, Mr. Quodlibet." Mr. Quodlibet proceeded—

"As the gentlemen of the jury, (at least one of them) seem not inclined to lend a favourable ear to my suppositions, I will take the liberty of supposing, for the sake of argument, that your honour is a judge who brings nothing to the bench with him,

but a superficial knowledge of the quips, quibbles, and quiddities of the law. I will further suppose—for the sake of argument—that your honour is a man so utterly ignorant of those sublime distinctions that mark the difference—the eternal and impassable separation between the two sexes.—as not to know a horse from a mare. I will further suppose—for the sake of argument—that your honour is entirely destitute of the faculties of seeing, hearing, tasting, smelling and feeling—that you are neither *mens sana*, nor *corpore sano*—that you are—in short—for the sake of argument—a miserable, ignorant, conceited, supercilious pettifogger, destitute of every faculty, but that of citing exploded decisions, and applying them to wrong cases—that—for the sake of argument—you are a mere parrot, saying only what you have learned by rote—an echo repeating nothing but eternal repetitions—that—"

At each of these suppositions, his honour became more and more uneasy in his seat—he looked this way, and he looked that—he blew his nose, wiped his face, coughed and hemmed—but it came to be too hot at last, and he could no longer stand the cross fire of these suppositions.

"Really, Mr. Quodlibet, I don't see—I—really, sir, it appears to me, that your suppositions have nothing to do with the question before the court and jury. I cannot sit still and permit this line of discussion. Be pleased to confine your remarks to

the case in hand. Really, sir, I don't like to hear myself abused, even for the sake of argument."

"Why, may it please your honour," rejoined counsellor Quodlibet, with a low bow—"what can I do? The plaintiff has come here with malice prepense—he has brought no counsel into court, and has offered no argument in his case. I must therefore either suppose he has argued the question, and oppose a speech that has never been made—or I must suppose a case and argue that—or I must say nothing, which is a case not to be found in any of the books. Will your honour permit me to suppose that the plaintiff has actually offered an elaborate argument, in this case, and answer it accordingly? I must either suppose a case, or suppose an argument."

"Any thing you please, Mr. Quodlibet, so you don't suppose me an ignoramus, or a rogue."

Mr. Quodlibet then went on with increasing animation, seemingly resolved to demolish the shadowy counsel and his imaginary speech.

"Gentlemen of the jury, the opposite counsel, or rather the plaintiff in this suit, has asserted that a mare is a horse."

"May it please the court, I asserted no such thing."

"Well, then, gentlemen of the jury, the plaintiff in this suit has ignorantly affirmed that a cow or a bull are synonymous."

"I deny it, may it please the court."

"Well, then, gentlemen of the jury, the plaintiff in this suit, has founded his claim to a verdict upon the preposterous assumption that the law was expressly devised to protect the weak, the ignorant, and the inexperienced, against the violence and fraud of the strong and the cunning. Now, I affirm directly the contrary—I say, gentlemen of the jury, the law, whatever may have been its original intention, is now principally directed to the object of securing to the cunning and experienced of this world, the fruits of that knowledge and sagacity, to which in the eye of reason they are justly entitled. The law, at least the common law as it is now quite settled by the decisions of the English judges, rests upon the principle, that the weak and the ignorant are naturally, and therefore properly, the prey of the strong and the cunning, as much so as the weaker and less wary birds and beasts are of the more wily and powerful. In a state of nature, strength and courage constitute right; in a country governed by the perfection of reason, superior knowledge, sagacity and cunning. Hence originates the great maxim of *Caveat emptor*—(here I began to quake) a maxim, gentlemen, which inculcates upon the purchaser of any article whatever—the necessity of wariness, deliberation, examination and suspicion—which says to him, if he makes a bad bargain it is his own fault—that if he is igno-

rant, it is his own fault—that if he is cheated, it is his own fault—and that, to sum up all in one word, 'CAVEAT EMPTOR.'"

His honour, after a charge of three quarters of an hour, in which he told the jury, what the law was not, at least twenty times, omitting at the same time, to tell what it was, ended, so far as I can recollect, nearly as follows:

"Gentlemen of the jury, to conclude—the case mainly turns, after all, upon two points—first, whether a fraud may be so great, impudent, brazen and enormous, as actually to lose its character, and become something else. Secondly, whether, in the eye of the common law, a mare is synonymous with a horse—a horse with a mare.

"As to the first point, I know of no case, nor any decision, bea g directly upon it, by which to be governed. I regret this, because I am thus under the unpleasant necessity of being obliged to resort to my own judgment to decide, a course extremely troublesome and inconvenient, and savouring of vanity. Fortunately, however, there is a decision, in some one of the books, of a certain court of judicature in the kingdom of Brobdignag, which, in the absence of all other precedent, I shall rely on in this case. It was there solemnly decided that a man might be actually too little for a dwarf. Arguing from the analogy of the two cases, I am inclined to believe, that if a man may be too little for

a dwarf, so may a fraud be too great for a fraud. Now, gentlemen, it is almost impossible to conceive a more impudent, gross, and prodigious deception, than to sell a mare for a horse, to a person having the use of his eyes. It is in fact so gross a fraud, that it is quite impossible to believe the defendant intended it for a fraud. When a human being gets beyond a certain size, he is no longer called a man but a giant—so when a fraud is committed of an enormous magnitude, it ceases to be a fraud—it is a misnomer to call it a fraud, and the plaintiff would be nonsuited upon that ground, if there were no other.

"'Touching the second point, gentlemen of the jury, there is no doubt that in ordinary acceptation, a mare is a horse, but it is not quite so clear that a horse is a mare. The horse, gentlemen, or as he is called in the latin tongue *Equus*, gave name to the equestrian order in Rome, which was so called from riding on horseback. Now, gentlemen, there can be little doubt that many of these equestrians rode upon mares, yet they were called indiscriminately horsemen. I am, therefore, inclined to believe that mare and horse were considered as synonymous at that time. This is, however, opposed to the maxim, that though a mare is a horse, a horse is no mare, which being a common saying, whereof the memory of man runneth not to the contrary, is of equal authority with the common law, which

cometh from we know not where. If you believe, gentlemen, that a mare is a horse, you will find a verdict for the defendant—if you believe, on the other hand, that a mare is not a horse, you will find a verdict for the defendant on the ground that the enormity of the fraud makes it no fraud at all—if you believe, however, that a fraud is a fraud, however gross and palpable, you must still find a verdict for the defendant on the ground that CAVEAT EMPTOR."

I never heard this word, that it did not sound to my ears like the croaking of the prophetic raven, or the screeching of the ominous owl. The jury gave a verdict for the defendant, with costs of suit, out of due respect for *Caveat emptor*, and all I gained by the perfection of reason, was a bill of costs a yard long, and the laugh of the universe. I was, however, a little consoled, when an honest neighbour told me I had certainly the most extraordinary team in the world—"a sound horse that was blind of an eye and broken-winded—and a mare that had been miraculously metamorphosed into a horse, by the magic of the common law."

Never, surely, was a man so jilted by his beloved as I was by the common law. This last decision, which established the doctrine, that a mare was a horse, and a fraud no fraud, almost drove me mad, and could I have conveniently found a country where there was no such thing as law, I think I should cer-

tainly have sought it at that time. In truth, these decisions coming thus one upon the back of another, at first gave me a mortal distaste to the law, particularly the common law, with *Caveat emptor* at its head. But when again, I reverted to the authority of so many sages, all agreeing in pronouncing it the perfection of reason, I was thrown in the dilemma of at length being obliged either to acknowledge the perfection of the common law, or to confess myself an ass. I was never in truth very confident in my own opinions, and yielding to the authority of great names, and early impressions, I at length came to the conclusion that the sense of justice, the suggestions of conscience, and the moral feeling, by which it is supposed men may almost instinctively decide upon what is right, and what is wrong, were so many jack-a-lanterns, when put in comparison with the steady light of the perfection of reason. In short, I no longer depended in the direction of my conduct upon my perceptions of moral justice. I considered the perfection of reason as the only true guide, and yielded implicit submission to *Caveat emptor*, firmly believing, that if I could only get him on my side, I might cheat, swindle and deceive, with perfect impunity, and in strict conformity not only with the wisdom of ages, but the perfection of reason. You will perhaps wonder at this conclusion: but I am clearly of opinion that many an honest man has been made a

rogue; by being disappointed in his search after justice at the shrine of the common law, and many a one perverted by its equivocal maxims. It is too much in the nature of man, I fear, to convert decisions against him, which his own innate sense of right teaches him are immoral in their tendency and unjust in their principles, into a warrant for the indulgence of his own evil propensities. Unquestionably, he who has frequently appealed in vain to the law for redress, in cases where his own consciousness taught him he was right, will be more apt, ever afterwards, to study what is law, than what is right, and square his morality accordingly. At least, it was so with me, and I have no hesitation in confessing that at one time of my life, I became little better than a rogue, merely through the seductions of *Caveat emptor*, and the perfection of reason.

While I was, however, wavering between my early impressions of morality, and the temptations of the common law, I was unexpectedly called upon to act on the defensive in an affair of much greater consequence than any of the preceding. This was a suit brought for the recovery of the estate, which I mentioned as having been gained by my uncle in a lawsuit, at least thirty years before. He had remained in quiet possession, and so had I, ever since; I should as soon have expected a suit to turn me out of my skin, as out of my estate. However, a suit was brought, and by a man that had failed four

times, since we had possession—given up all his property, or at least sworn he had done so—and had never paid one tenth of his honest debts. If he ever had any rights in the estate, they should, in the eye of justice, have belonged entirely to his creditors. These, however, were all dead or dispersed, and the gentleman had now a fair field.

I was served with a declaration of war, which made my hair stand on end. First, I had entered by force of arms, and violently taken possession of this honest man's estate—I had beaten him with staves, sticks, stones and what-not, till he had scarcely a whole bone in his skin. Then I had not only got possession *vi et armis*, but not content with this, had actually cheated him out of it afterwards. In fact, if I remember right, I had got possession in ten different ways. Nay, I did not stop here, rogue as I was. I had fraudulently, forcibly, and illegally kept possession, and forcibly, fraudulently and illegally converted the proceeds of the said honest man's estate, to my own use, profit and behoof, fraudulently, forcibly and illegally. Now I declare solemnly, there was not one word of truth in all this, yet it was no joke I assure you.

After this first shot, my antagonist cited me to appear, defend myself, and make good my title. I appeared, ready armed with two great lawyers, as squires of the body, but as ill-luck would have it a principal witness of the plaintiff was absent, and ap-

plication was made to put off the trial. *Dilationes in lege sunt odiosae*, said his honor, and granted the motion. The next term, I appeared as before—and the trial was again postponed. In this way matters went on for five or six years, during which my opponent, under one pretence or other, put off the decision. The different judges never failed to quote *dilationes in lege sunt odiosae*—but then they all granted the delay odious as it was in the eyes of the perfection of reason. I begged of my counsel, as I was all this time kept in a state of agitation and uncertainty, and could neither sell or improve my estate, to bring matters to a close as quick as possible. They assured me this was out of the question—it rested with the plaintiff to bring his suit up when he pleased.

"And how long can he delay it?"

"Till doomsday—or until all his money is spent."

"*Dilationes in leges sunt odiosae*," said I, shrugging up my shoulders.

"To be sure they are," replied my counsel with infinite gravity."

"And so he can keep me in this state of uncertainty all my life?"

"Yea—and you and your posterity for ever, to the hundredth generation."

"And this is called the perfection of reason, when any wretch may thus keep the lawful possessor of property as long as he pleases, in this state of ex-

pense and suspense. This is the perfection of reason!"

"Unquestionably—it is as reasonable that you who enjoy the sweets of possession, should suffer the fear of being turned out, as that he who endures the pain of being out of possession, should enjoy the hope of getting in. This is the perfection of equal justice."

At length an aged person, upon whose recollection of the facts connected with the former history of the estate, I had relied materially in maintaining my title, died. The very next term. the plaintiff was ready and the trial came on. It was not the absence of one of his witnesses but the presence of one of mine, that was so inconvenient to him. The trial occupied three days—one in hearing testimony—and two in hearing speeches, which after all signified nothing as it appeared. It was the cases cited, that decided the question of right. My counsel cited Holt—but he was knocked down by chief justice Buller, who butted him quite out of court. After this first round they took a little breath, and to it again. The opposite counsel cited Strange—and mine Espinasse—they quoted Fonblanque—and we Dallas—"Pish," said they, "this is only a dictum of one of our own judges." "Your honour will turn to page 116, vol. 112, Troutback *vs.* Sturgeon." "Your honour," cried we, "will please to turn to page 250, vol. 99, Crane

vs. Peacock." "Lord Coke says"—"Lord Mansfield affirms, your honour, in the famous case of Cock-a-doodle manor, which settled the principle." This last blow ended the second round, and in fact decided the question in my favour. Lord Mansfield carried all before him, and our adversaries never held up their heads afterwards. They gave in at the third round, with a faint effort at milling a little with Glanville, and a few of the old school fancy.

The judge was at last permitted to say a little for himself. In truth I began to think, he was to have nothing to do in the business and that my cause was to be tried by the judges of England, not those of my own country. I have not sufficient recollection of his charge to repeat it, but I remember his decision turned altogether on the authority of lord Mansfield. Such was his exemplary modesty, that he never intruded his own opinions, or appeared to consult his own judgment. This seemed rather odd to me, although, I had by this time become pretty well accustomed to it. I could not help thinking that a plain man of good judgment and acquirements, who had heard all the testimony appertaining to this special case, was better qualified to decide upon it, than even my lord Mansfield, meaning no disrespect to his lordship—who died long ago, and never dreamed of me, my adversary or my cause. Thanks, however, to my lord, to whom I

shall ever feel grateful, and who I have no doubt was a very clever fellow, I gained my suit, and rejoiced mightily in the laws, which were now entirely restored to my good graces.

But I might have kept my joy for a better opportunity. My honest friend was not satisfied like me with my lord Mansfield's decision. He appealed to a superior court—but luckily lord Mansfield reigned paramount there also, and again I was triumphant. It cost me all the proceeds of my estate that year though; it was one of Pyrrhus' victories. My honest friend again appealed to a still higher court; I thought there was no end to them. Here he kept me dangling for three years more, waiting, as he afterwards boasted, for some new decision of an English judge, that should overthrow lord Mansfield's doctrine, and turn it upside down. At length such a decision was made by a sage of the bench; one in fact that seemed made exactly to suit his purpose. It was directly in the teeth of his lordship, and unsettled the law of at least half a century. In charging the jury, his honour, delivered himself to this effect:

"Gentlemen of the jury: The perfection and beauty of the law consists in this—that it is not only a rule of action, but a rule which, being founded in the perfection of reason and the wisdom of ages, is not liable to those changes, to which all else is subjected in this world. Such is the stability of

this rule of action, that a man may at all times know the extent of his rights and his duties, and the course necessary for him to pursue, in order to secure those rights and perform those duties. Law is, in fact, the result of the perfection of reason, based on the accumulated wisdom of ages. This may be most especially affirmed of the common law, which is expressly founded upon maxims and practices, so ancient that the memory of man runneth not to the contrary thereof.

"Yet, gentlemen of the jury, certain self-sufficient persons, misled by that ignis-fatuus common sense, have affected to lament that, notwithstanding this perfection of the common law, it is exposed to one very serious imperfection. In the lapse of ages, necessary to produce that perfect oblivion of the origin of any rule or custom which makes it amount to law, mankind have from time to time forgot what the custom actually is, and great doubts and uncertainties arise in consequence thereof. Thus, say these cavillers, though there is no doubt that the common law is really and truly the perfection of reason, if we could only rescue it perfectly from the obscurity of ages, yet, as it is, we must take it as we find it laid down by persons who differ continually from each other. The mischief, continue they, is, that such is the diversity, the waywardness, the pride and the obstinacy of

human reason, that these oracles differ one among another, upon almost every principle of the common law. By this means, the common law, in effect, ceases to be a rule of action, since it is impossible to say that a dozen different rules can make one rule.

"In order to decide upon these contradictory decisions, different judges resort, not to their own opinions, but to the opinions and decisions of others. Some are of opinion, that as the whole force and authority of the common law is derived from its antiquity, it follows, of course, that the people of these remote ages were wiser than those which succeeded them. As a matter of course, if this position be correct, then the decisions of persons living the nearest to the sources and origin of the common law, must be of the greatest authority in settling its principles. They argue that if those ages, and sages, which produced and expounded the doctrines and practice of the common law, were not wiser, or at least as wise as we are at present, it were best to discard it entirely, or so modify it as to make it comport with the wisdom of the present times.

"Some, gentlemen of the jury, on the other hand, maintain a contrary doctrine, in expounding the principles of the common law. They argue that as it is a received axiom, that every succeed-

ing age is wiser than its predecessor, the probability is, that it must produce wiser men in every science. Hence, it would seem to follow, say they, that those decisions which approach the nearest to our time should be most relied upon,—in other words, that every succeeding decision, is of weightier authority than the preceding one; and consequently that it operates somewhat in the nature of a new law, which abrogates the old. Among those who believe that human reason is every day becoming more perfect, I profess myself to be one, and of consequence I consider, the latest decisions on points of law as unquestionably the best. We prefer new fashions in dress, furniture and other matters, on account of their superior elegance, and why should we not in like manner, prefer new opinions? There is in fact a fashion in science and literature as well as in every thing else; and not to follow it, is to depart from the spirit of the age. A man who should at this time of day, believe in animal magnetism, and reject phrenology, would be considered quite as antediluvian as one that should discard high capes and put on high cuffs. Were a physician to confine himself to the lessons of experience, and invent no new theories, he would never become president of a medical college—and were a lawyer to found his practice on the simple rules of a written code, it is almost a moral certainty, that he would never grow rich. There would be an

end to the glory of the profession, and the sixth more glorious uncertainty of the law.

"Gentlemen of the jury, it is a vulgar error to suppose, because the common law is the perfection of reason, that it is to remain stationary and unalterable. To be permanently perfect, it must be changing continually, in order to accommodate itself to the wisdom of the age, which for the time being is always the perfection of wisdom. Every thing new, is undoubtedly an improvement upon the old. It may be objected, perhaps, to this doctrine, that as the common law is a rule of action, it is indispensable that the rule should be known to all, and consequently that it should be permanent. This reasoning is entirely fallacious. In the first place, there is no necessity that a rule should be settled, or permanent, to constitute it a rule. The moon changes every day, and yet nobody denies it to be a moon. No two years are exactly the same, and yet the seasons remain unalterable—and no man continues unchanged to the end of his life—yet nobody denies that he is still the same man. So is the rule a rule, though it should alter every day of the year. The same fallacy is observable in the argument, that a rule of action should necessarily be known to those who are expected to be guided by it in the common affairs of life. Such a doctrine, gentlemen, would be fatal to the liberal and learned professions. Men are expected to get well, when

they grow sick—yet is it absolutely requisite to have physicians to cure them. They are, moreover, expected to be acquainted with the laws which are to regulate their conduct—yet it is necessary to have lawyers and judges to interpret them, which we all know is rather a difficult matter. If mankind were all virtuous, there would be no need of preachers—if they were all in good health, there would be no occasion for doctors—and if they were all wise, there would be no occasion for lawyers or judges—for no man would ever go to law.

"Gentlemen of the jury, I flatter myself, I have now succeeded in establishing the following positions: First, that the common law is the perfection of reason, because it adapts itself to our reason, or our reason adapts itself to the common law. Secondly, that inasmuch, as the common law derives its authority from its *early* adoption by our ancestors, it seems to follow as a matter of course, that the *latest* decisions on it must be the most irrefragable. There is thus the wisdom of invention belonging to our ancestors, and the wisdom of improvement belonging to their descendants—both which, combined, constitute the perfection of reason. Thirdly, that though the law is a rule of action, there is no necessity that it should either be understood by every body alike, nor indeed by any body but gentlemen of the profession. Nor is it proper that even they

should understand it exactly alike, for in that case the judges instead of having perhaps ten or a dozen different opinions to take their choice of, would be confined to one alone. Besides this, as two different opinions are necessary to a suit at law, if the rule were so simple and plain as to be comprehended by persons of ordinary understanding, there would be none but fools that would go to law, and that would destroy the dignity of the profession. Fourthly, that a rule of action need not be permanent to constitute it a rule, as instanced in the case of the moon, which, although not laid down in any of the books, is conclusive.

"From these positions it results, gentlemen of the jury, that you will find a verdict for the plaintiff. I am free to confess, that had the decision of lord Mansfield, in the matter of the manor of Cock-a-doodle, been posterior to that of my lord chief justice Bridlegoose, I should have given an opinion directly to the contrary. The decision of judge Bridlegoose, being the latest, is certainly the best, as he has the advantage not only of lord Mansfield's, but his own wisdom besides, to direct him—which is two to one at least. I acknowledge it is a hard case, gentlemen, a very hard case—and I could almost wish judge Bridlegoose had delayed his opinion till this suit was decided. The defendant has, however, his remedy at law. He can wait till a new opinion comes out, in opposition to judge

Bridlegoose, and then commence a suit for the recovery of his property."

What a pity lord Mansfield had not been a little later in coming into the world! I should have been a rich man probably to this day, in spite of the perfection of reason. As it was, I lost my estate, only because judge Bridlegoose unfortunately for me, had the last word. I would have appealed from this decision, but unluckily there was no court to appeal to—we had got to the top of the ladder, and there was an end to the perfection of reason.

This blow was soon followed up by another, and yet another, which both together left me destitute of every thing like real property in this world, if the word real can apply to any thing which lies at the mercy of the perfection of reason. In producing the papers necessary to establish my right to the property of which I had been divested, in the manner just related, by the perfection of judge Bridlegoose's reason, I unwarily exhibited two deeds relating to two other pieces of land of which my good uncle and his ancestors had been in possession almost a century. It happened that one of these was without a seal, and the other did not specify that the conveyance was made to the purchaser, his heirs and assigns for ever. The lawyer who examined them, immediately scented a couple of exquisite lawsuits. He went to work and after more than half a year's indefatigable research discover-

ed the heirs of the persons from whom my uncle derived his title.

I was again accused, in technical phrase, of assaulting, beating, bruising and maltreating, some half a dozen men, women and children whom I had never seen, and of fraudulently keeping possession of property, which had descended to me through two or three generations. Formerly I should have smiled at these attempts to dispossess me, but I began to doubt whether, in the eye of the perfection of reason, there was such a thing as an indefeasible title even to the possession of a man's own head. Besides, I was horribly afraid that judge Bridlegoose might have been giving another opinion, that would do my business as effectually as the first.

In the first of these cases the flaw in my title consisted in the want of a seal to the deed of conveyance. There was no doubt as to the hand-writing of the person who made it; but still it was contended that the absence of the seal rendered the whole a nullity. It was the seal and not the hand writing which verified the instrument. I produced receipts for the purchase, proving beyond doubt that a full and fair value was given and received, but all would not do. Even my own counsel had nothing to say in favour of my right. All argument was waved for once, and the judge gave his charge to the jury. I was rejoiced to see that he was a different person

from the judge who had such a great opinion of chief justice Bridlegoose, but I soon found I had only got out of the fryingpan into the fire. His honour began—

"Gentlemen of the jury: I cannot sufficiently congratulate both myself and you, that we are here deliberating and deciding under the purest and most perfect system of laws, with which any people were ever blessed; a system combining the wisdom of our ancestors with that of our own—a system happily characterized by the sages of the law, as the result of the experience of ages, and the perfection of reason. I speak, gentlemen, of the common law—which is, I will venture to say—I can hardly say what it is—sometimes it is one thing, sometimes another—sometimes it is founded upon a rule, and sometimes upon exceptions to a rule—sometimes it is defined and sometimes it is not defined—sometimes it is the product of ages of darkness, illustrated and explained by the wisdom of ages of light—and sometimes it is the offspring of ages of light, mellowed down as it were into an agreeable twilight, by the obscurities of ages of darkness. It is in fact, gentlemen, a chaos of wisdom and experience, out of which issues beauty and order, as did the fair creations of this harmonious universe. Even its inconsistencies and diversities, may be justly said to contribute to its unequalled perfection. As in a concert, the different instruments all played by different persons, and the different voices attuned to different pitches, men,

women and children: counter, tenor, treble, and bass, all conduce to the nicest and most accurate harmony; so do the different opinions of different judges and jurists, administer to the harmony, beauty and perfection of the common law.

"Another excellence peculiar to the common law, is its capacity of adapting itself to times, changes and circumstances, without any other violence than an occasional departure from common sense, a species of instinct which the law holds in little respect. Hence we find it in one age, one thing, in another age, another thing—in the mouth of one judge it speaks one opinion, in that of another judge, another opinion, according to the variations produced by time, the difference of climate, the wind, the fashion and other modifying circumstances. Hence too, and this is another peculiar excellence of the law, that let a man's case be apparently ever so bad, it is ten to one but he can find somewhere or another, a decision of some court or judge, that makes in his favour. This is what is meant by the law looking with equal eyes on all persons, and presuming every man to be innocent till he is found guilty. The common law has in fact all the qualities of the famous pair of enchanted seven-league boots, which, it is recorded, fitted every body, great and small, from little Hop-o'-my-thumb, to the great giant Blunderbore.

"Gentlemen of the jury, the common law is, above

all, venerable for its antiquity, a point on which I shall insist, particularly, as it has a direct bearing upon this case. Its very essence consists in the obscurity of its origin, like the claim of many families to nobility. From this early origin arises the indispensible requirement of the common law, that a seal should be necessary to constitute a legal conveyance of real property. The necessity of this, will become sufficiently apparent, when we consider the fact, that in those remote periods, which produced that stupendous edifice of wisdom, called the common law, not one in a thousand, could either read or write. I leave it to you, gentlemen of the jury, to explain how it happened, as it did undoubtedly happen, that the perfection of wisdom should have originated in the perfection of ignorance. It is a severe reflection upon learning and refinement, certainly, that to this day they have not been able to improve upon this great work of ignorance and barbarity. However, this we must leave to inquirers in other places—until the English judges have decided upon this matter, I shall hold my tongue. People that cannot write, or who consider writing beneath their dignity and rank, generally make their mark now-a-days, in the shape of a cross, to indicate, I imagine, that by this sacred symbol, they pledge themselves to what they have thus signed. But in those early ages of the perfection of reason, it was the custom to affix a seal bearing some le-

gend or device, identifying it with the person to whose act, or deed, it was appended. This custom appears at least as ancient as the æra of Solomon, and thus far we can distinctly trace the antiquity of this peculiarity of the common law. Gentlemen, Solomon was a wise man and must have had good reasons for what he did. The seal of Solomon is frequently alluded to in the Koran. In like manner we find the ancient kings of Asia, signifying their sovereign behests, by sending a person with their seal, as evidence of the orders he carried. To intrust a favourite with a seal in the days of Haroun Alraschid, was to give into his hands the power of the whole empire of the Caliphs. The custom, therefore, of affixing a seal, is sanctioned by great names, and long usages, the eternal basis of truth and justice.

"The practice thus derived from the remotest antiquity, subsists in the present age, in the law alone, the great depository of all the sacred relics of time and ignorance, preserved by the hallowed industry of the profession. I had like to have forgotten, however, to observe that the reasons on which it was founded have entirely ceased. In this country at least, almost all persons of both sexes, who can ever be supposed in a situation to make conveyance of land, can write their names. If there should be occasionally a solitary instance to the contrary, witnesses can always be obtained to sign

their names, and thus verify the instrument. I will not deny too, that the signature of a person in his own proper hand-writing, properly attested by witnesses, and verified by the signature of a magistrate, is rather stronger evidence of authenticity than the mere affixing a seal. But this does not in reality render a seal less necessary, as a corroborative and security, in addition to the signatures. It is easy for a man to sign the name of another, and to imitate it with sufficient exactness for all the purposes of fraud; but it is not so easy to get a wafer or bit of wax for a seal. The seal, therefore, is additional security that the instrument is genuine. Besides, if it were not so, the very tenor of the instrument is "*witness my hand and seal.*" Now, if there is no seal, the conveyance asserts what is not true—it presents on the face of it a falsehood—it is therefore a fraudulent conveyance, and must be set aside."

The jury accordingly set it aside; and thus was I deprived of my land, only because king Solomon, and Haroun Alraschid, not being able or willing to write their names, signified their sovereign will by a seal. It is not for nothing, that the most enlightened statesmen consider learning as so mischievous an ingredient in human affairs. If there had been no such villanous practice as that of writing of names, my unlucky conveyance would have had a seal to it, and I might have been in quiet possession

of my land to this day. As it was, I lost it for lack of a wafer, or a little bit of wax, not worth a stiver. I confess I considered it rather a hard case, that I should lose one estate in consequence of one judge's veneration for the *latest*, and a second on account of another's veneration for the *earliest* practice under the common law.

Well was it said that riches make to themselves wings and fly away; and if I am not mistaken, one of these wings is the common law. At least it was so with me. The very next day, as if to take me while I was going, the other cause came on, for the farm that had only been conveyed to my grandfather, and not to his heirs, as was undoubtedly intended by both parties. The amount of the purchase money was acknowledged on all hands to be far too great to admit of the supposition that my ancestor, who was at the time of purchasing, almost seventy years old, contemplated only a life estate. Common sense offered another presumption in my favour, in the fact that the property had never been questioned or claimed till the present moment, a lapse of more than half a century, by the adverse party. But these presumptions, although conclusive in the eye of common sense, were of no account in the estimation of the perfection of reason. The law was against me, and there was an end of the business. It was, moreover, an old law, which like old wine ought always

to take precedence. Moreover, it had been no doubt founded in the perfection of reason at some time or other, and though the reasons had long since ceased to exist, still the law remained, and it was the perfection of reason to retain the law, when the reason had passed away. It was unquestionably the misfortune of my ancestor that the conveyance was not full—but CAVEAT EMPTOR! Whenever I heard Caveat Emptor quoted, I knew it was all over with me, and quietly resigned myself to be dealt with according to the perfection of reason, which has decided that if one man places confidence in another, he forfeits all right to the protection of the common law. Thus it appeared to me that while the law inculcated morality, it upheld fraud—an inconsistency which could not but be highly injurious to the integrity of mankind. The judge charged the jury, that though there was not the least doubt that the property was purchased in fee simple for ever, and that it was both unjust and unreasonable to deprive me of it—yet, as by the common law, which was undoubtedly the perfection of reason, I had no title to the possession, they must of necessity find against me. As by the common law and indeed the law in general, a jury is considered as having no comprehension of any thing but matter of fact, a verdict was given against me as a matter of course. The opposite party condoled with me on this untoward result:

but comforted me at the same time with the assurance that though he had an undoubted claim to the back rents, for at least half a hundred years, still he was too generous to bring it forward against me.

Thus does the law visit the sins of the father upon the children to the third and fourth generation, and thus was I dispossessed of three estates, one after the other—the first, by the authority of my lord chief justice Bridlegoose, who was good enough to decide upon my case without my knowledge or consent—the second, by the inexcusable carelessness of one ancestor in omitting to have his deed sealed, as well as signed—and the third, because another of my ancestors, forgot that in buying for himself he was not buying for his heirs. I think, however, I may say with perfect truth, that the trouble my losses gave me was nothing to the trouble I had to reconcile these decisions to the wisdom of ages and the perfection of reason. My perplexity was such, that I fell sick, and for some time became actually deranged in the attempt to bring about this hopeless reconciliation. In short, I fairly lost my wits in searching for the wisdom of ages and the perfection of reason in the inextricable labyrinth of the common law. When I recovered, I was told that during my temporary alienation of mind, I had delivered more than one legal opinion, that would have done honour to a lord chancellor.

On my recovery, my thoughts naturally turned

to the state of my affairs. What, with the wisdom of ages, the perfection of reason, and judge Bridlegoose, I had scarcely sufficient left for the support of a gentleman. I had a few thousands in the funds, but did not know how soon I should be deprived of these, by the decision of judge Bridlegoose, or some new luminary of the law that might spring up in foreign parts, to my utter confusion and ruin. In casting about for the best means of retrieving my affairs, an opening seemed to present itself in the pursuits of commerce. I saw hundreds around me, apparently sporting in the sunshine of wealth, and rising from nothing to the summit of opulence, as if my magic. I resolved to commence business, upon the capital I had still left, and the experience I had acquired in the common law. I flattered myself I understood *Caveat Emptor* pretty well, and with it all the mysteries of bargaining.

I must apologize for the transactions of that portion of my life upon which I am now entering. I confess, when I look back I am ashamed of it. But we have covenanted to disguise nothing from each other, and I shall not spare myself. Thus much, however, I will offer in extenuation. I had been accustomed from my earliest youth to consider the common law, not only as the perfection of reason, but as the standard of moral obligation, the guardian of ignorance, the protector of weakness; and

the shield of the oppressed. But I had appealed to it to avenge frauds committed upon me in vain, and I had been stripped of a large portion of my property, by decisions which my own reason, that guide and monitor which is the only true prompter of man's conscience, proclaimed were not only unjust, but absurd and ridiculous. These decisions had not only weakened my respect for the laws, but my perceptions of right and wrong. Awed by the authority of ancient usages, and great names to support them, I was often tempted to think, that I had myself mistaken the immutable principles of morality and justice, and that the laws were after all the only unerring standard. In that case, I had a right to make use of the experience I had so dearly purchased, and to avail myself of the knowledge which had cost me so much. Heaven knows I had paid dear enough for it, and I thought I might exert it, agreeably to the precepts of the wisdom of ages and the perfection of reason. In fine, gentlemen, I believe it will too frequently be found, that a man who often appeals in vain to the laws when his own reason and conscience teach him that his cause is just; or who suffers by their operation, without any fault of his own, will be very apt either to take the law into his own hands, or revenge his injuries and disappointments, by converting his dear bought experience into the means of repairing his losses, at the expense of others. There is no-

thing perhaps which is so productive of violence and fraud, as a general want of confidence in the justice of the laws.

I confess with shame and contrition that I entered into trade with a full resolution of making *Caveat Emptor* pay back all it had deprived me of in the whole course of my life. I was not quite a rogue; but I was sufficiently so I fear to go to the full length morality of the common law—and that is far enough in all conscience. Preparatory to commencing business, I determined to reduce my establishment, which indeed I had not the means of keeping up any longer. In the first place, I cast about how to dispose of, to the best advantage, my famous span of horses, which I was resolved to believe most firmly, were not only both horses, but both perfectly sound and free from fault—they having been so pronounced by the perfection of reason. By the way, gentlemen, my last purchase, turned out a bad bargain in other respects, having all the obstinacy of her sex, and as many tricks as a monkey.

There was an old lady, a neighbour of mine, very rich, and nearly blind, who had an old coachman half blind himself, and so phlegmatic, that whenever he drove his mistress an airing, a pleasant, lively, talkative young lady, of the neighbourhood, was always invited to be of the party, to sit on the front seat, and keep him awake by incessant talking. In short, the lady was old, the

coachman old, all the servants of the establishment so old, that they had hardly one of the five senses in perfection—the horses and carriage were old, and the cats and dogs so very old, that they had outlived their instincts, and lay down like the lion and the lamb in peace together.

This worthy old lady, hearing I was going to break up housekeeping, took it into her head to buy my horses, to replace her own, one of which had been knocked up in the desperate effort to trot down a hill. I sent them over for her to look at, and the whole household turned out I was told to examine their points. There was not a good eye among the whole of them. The old lady bought my span, and the very next day, being Sunday, set forth to a neighbouring church to exhibit her new acquisition. She arrived there, after no small vexation and delay, owing to the vagaries of the ever memorable feminine horse which has heretofore figured in my story. She had a habit of stopping short now and then, but was not otherwise vicious; and it was worth while to see the one eyed gentleman, her companion, turn round and look at her on these occasions, as if to ask an explanation. He was certainly a horse of great parts, though he had but one eye and was broken-winded.

There was not a soul at church but knew my horses, and had heard the story of the mysterious animal that was a horse in the eye of the law, and

a mare in the eyes of every body else. They all flocked round, and the tale was repeated at least two hundred times. Never since the days of Gil Blas' mule, was an animal so taken to pieces, criticised, reviewed, and held up to nought, as were those of the good old lady. She was in such a passion, that when she got home, she could not tell either chapter or verse of the text. The next morning she sent them over, with a tart note, charging me with deception, and demanding her money back again.

"CAVEAT EMPTOR!" cried I, and snapt my fingers at the old lady, just as the horse jockey did at me. I was sure I had the common law on my side this time, and defied justice and all her works. I had given no warranty, and had not even verbally answered for my horses. The old lady brought a suit; but I cared not a rush for it, and only cautioned my lawyer to ply them well with *Caveat Emptor*, whenever he had an opportunity. I ought to mention there was a new judge on the bench; the admirer of judge Bridlegoose and his decisions, being absent on some account or other. As ill luck would have it the brazen trumpet, who by his eloquence had wrought the jury to pronounce one of these same horses, a sound horse in the eye of the common law, was again opposed to me.

In the first place, the old lady proved the horses were both bad. But this I did not mind, so long as I had honest *Caveat Emptor* on my side.

In the second place, she proved that I knew they were bad. The counsel read the record of the decision, by which I had the blinker thrown on my hands, to prove him an unsound horse. Now this was the very decision on which I had relied, in conjunction with *Caveat Emptor*, to bring me off with flying colours. I calculated to prove by it, that as he had been decided virtually at least, to be a sound animal, by being thrown on my hands as a fair purchase, I had a right to dispose of him as such at any time.

After the testimony was concluded, the brazen trumpet attacked me with the whole force of his lungs, and tore me all to nought, for doing exactly what the perfection of reason authorises every body to do—making use of my superior knowledge in bargaining. I am sure I had paid for it. He contradicted every word he said on a former trial, and made me out to be one of the greatest rogues in existence. And so I was, for aught I know, for I had been corrupted by the common law, and *Caveat Emptor*. My old counsel made an excellent defence—indeed he and the other counsel, seemed to have exchanged souls, or at least tongues on this occasion. I remarked that the trumpet used the very same arguments against me as defendant, that my present counsel did in my favour when I was plaintiff, in a similar suit, and that on the contrary my counsel borrowed his old argu-

ments to apply to this new suit. All this struck me as odd, but I suppose the perfection of reason consists in the capacity of accommodating itself to time and occasion. But it was the argument of the judge that threw me into despair.

"Gentlemen of the jury," said he, "the common law is not only the wisdom of ages, and the perfection of reason, but it is likewise essentially a moral code which at the same time that it protects and vindicates the rights of the people, teaches them their duties. The learned counsel for the defendant has relied mainly upon the suit, which has just been cited, in which the very horse now in question, was decided to be a fair purchase and left on his hands. He contends that this decision was in effect sanctioning the practice of imposing an unsound animal upon a purchaser, or at least if not so, he contends that it decided the character of the horse as a sound animal, in the eye of the common law.

"Gentlemen, the learned counsel forgets, that though this is the same horse, the court and jury are very different from those which decided the former case. My worthy brother, for whose learning, sagacity and legal acumen, I have the most exalted respect, is, however, I must be permitted to say, rather too much under the thumb of *Caveat Emptor*, and follows the practice of the English judges, who I think give it too great a latitude in

covering fraud and deception. Now, I, gentlemen, incline to the doctrines of Grotius, Wolf and others of the writers on natural law, which rests in fact on the same basis with the common law, and who mingle a considerable portion of equity in their ideas of covenants. They differ with many of the English authorities, in their exposition of the maxim of *Caveat Emptor*, and consequently in their estimate of the degree of diligence and circumspection necessary in the buyer, and the latitude to be given to the seller in disguising, or making use of his superior knowledge in the article of which he is about to dispose.

"Gentlemen of the jury, I am free to confess, that though, in some respects, I agree with preceding authorities, in others I differ from them all, and so differing I shall take leave to consult my own ideas of justice in this case.

"In the first place, there is a manifest distinction between being silent as to defects in the article which forms the subject of the covenant, and fraudulently concealing them. By merely being silent on these defects, you practise no deception, because you leave the buyer the free use of his eyes, and other senses, which are the guides and guardians of human nature in all the ordinary transactions of life. If the buyer should chance to be ignorant of the nature and value of the article, that is his own fault; the seller is not obliged to

instruct him to his own damage and loss. He had in fact no business to purchase an article of the qualities and value of which he was totally ignorant. Ignorance is not involuntary—it is in the nature of a blameable negligence not to acquire knowledge—and as *Ignorantia legis neminem excusat*, so ignorance of the points that constitute the value, or of the defects which diminish the value of a horse, is no ground for vacating a covenant, or recovering damages.

"But, gentlemen of the jury, it is far otherwise with those natural and involuntary defects which render it impossible for a person to be a judge of the article purchased. The plaintiff in this suit is an elderly lady, who in the first place, lies under no sort of obligation to become acquainted with the value of horses—her ignorance is therefore no bar in law to recovering in this suit. Had the deception been practised in the purchase and sale of a carpet, a silk gown, or any article of that kind, of which females are bound to be judges, it would have been a different affair altogether. But not only is the plaintiff not obliged by her sex to become a judge of horses, but if she were, it is in proof, that she has become incapacitated by a defect in the organs of vision. Now, gentlemen, physical defects are viewed in a very different light by the common law, from defects of knowledge, judgment and experience. To impose upon

an ignorant person, is held lawful; but to impose upon one who is incapable from nature or infirmity of judging, is fraud. These distinctions are founded in the wisdom of ages and the perfection of reason. I am, therefore, of opinion, that the defendant take back his horses, return the purchase money, and pay the costs of the prosecution."

Thus was I obliged to receive back my horses, in spite of *Caveat Emptor*, who seemed destined in one way or other to be my utter ruin. I could not help complaining to myself, that I had been obliged to keep them on my hands after being cheated in the purchase, solely because one judge had no opinion of his own; and now was obliged to receive them again, merely because another judge chose to have an opinion of his own. If the judges had only been exchanged, I might have gained both suits—as it was, both were decided against me. "What a misfortune," thought I, "that though the common law is always the same, the judges are so different, and that the perfection of reason should be expounded by persons whose reason is so imperfect!" Fearful that my horses would play me some more tricks, I took the first opportunity to give them away—taking the precaution to accompany the donation by a special warranty, certifying one to be unsound, and the other worth nothing.

Having got these incumbrances fairly off my

hands, I invested the remainder of my fortune in trade, and plunged in the mysteries of buying and selling, under the guidance and protection of honest Caveat Emptor, notwithstanding the many ill turns I had received at his hands. I purchased articles at a low price and sold at a high one, always taking care to avoid any express warranty; and though I was from time to time sued by the ignorant for thus making a legal use of my superior knowledge, I always escaped with flying colours, under the broad shield of *Caveat Emptor*, who I will do him the justice to say, stood by me like a brave fellow. Thus I sailed before the wind for some time and laid up money. My avarice as usual expanded with my acquisitions, and I determined to launch out into foreign trade. I accordingly purchased a large ship, which the owner assured me was one of the finest vessels that ever sailed the salt seas, and put in her a valuable cargo, for Europe. In order to cover all losses, I made insurance for the full amount of vessel and cargo, and despatched her on her voyage. This time, I happened to be perfectly honest. I believed the vessel to be an excellent one, in all respects, for as such I had bought her, and the cargo was precisely as I had represented it to be. It was on my part, I solemnly assure you, a fair transaction.

About a month from the sailing of my great ship, news came that she had sprung a-leak, a few days

after getting to sea, and was run ashore, where she went to pieces. However, this gave me no very great uneasiness, as I calculated on being completely covered by the policy of insurance. To my surprise and mortification, payment was positively refused on the ground that I had practised fraud, or at least deception. Even if this had been the fact, I should have relied on my friend *Caveat Emptor* to bring me off—but I was entirely innocent, and innocence, although of little weight in the eye of the perfection of reason, is of some value in keeping up a man's courage. I commenced a suit for the recovery of my money, in full confidence of not only having the law, but justice likewise on my side.

But, miserable is the man who depends upon his innocence in a suit at common law; he might better depend upon his guilt, for guilt is careful if possible to get the law on its side, while innocence relies upon itself. The defence of the insurers was, that I had practised a fraud in representing the vessel to be what she was not. It was proved by the honest gentleman, of whom I had bought her, that she was not only not a first rate vessel, but quite the contrary. That he had built her to sell, and that both in materials and workmanship, she was defective in a very great degree. The captain and mate, who had escaped the wreck, also testified, that she was rotten in many of her timbers, leaky, and in fact

not seaworthy. They would not have trusted themselves in her, if they had known her condition.

Here I took the liberty to ask, how I, who was totally ignorant of ships, could be supposed to know of defects, which had escaped the eyes of professional men?

"*Caveat Emptor!*" replied the court. I acquiesced, without a murmur, for I relied less upon my innocence on this occasion, than upon my friend Caveat Emptor. 'Tis a bad rule that wont work both ways, thought I, for I had not become sufficiently aware what a trimming turn-coat rascal this Caveat Emptor was, and how he changed sides, with as little ceremony as a first rate politician. I desired my counsel to lose no opportunity of touching them up with Caveat Emptor, but he struck me dumb by replying—

"My dear friend, *Caveat Emptor* won't do in this case."

"Then the Lord have mercy upon me," I exclaimed in despair—"if honest *Caveat* goes over to the enemy I am a dead man."

I pass over the arguments of the counsel, who marshalled armies of judges and volumes of decisions, one against the other, and made such a variety of beautiful distinctions, that not a single man in court, gifted with common sense, could tell black from white, or make out what the law was for the

soul of him. But the charge of the judge deserves to be remembered as a warning to posterity.

"Gentlemen of the jury," said he, "the principle involved in the case before you, has been settled by so many solemn decisions in the English courts, that no argument, or decision of mine can fix it more irrevocably. It is only necessary, therefore, to state one or two nice distinctions, and to recapitulate the arguments on which it is to be presumed these decisions were founded.

"The plaintiff hinted in the course of the trial, that he expected to avail himself of the maxim *Caveat Emptor*, but it is hardly necessary to tell you that it does not apply in this case. Gentlemen, the common law being the perfection of reason, accommodates itself in the happiest manner to the accidents of situation and circumstance. It is immutable, and unalterable—yet it is different and variable. It is founded in the wisdom of ages—and it contradicts itself without the least inconsistency. I will acknowledge, gentlemen, that had this been an affair of the land, instead of the water, the maxim Caveat Emptor would go to exonerate the plaintiff from all suspicion of fraud, but happening as it did on the water, the case is diametrically opposite. And the distinction most strikingly exemplifies the wisdom of the common law. Gentlemen of the jury, there is one species of animals for the earth, and another for the sea—there is one kind of vehi-

cle for ploughing the fields, and another for plough-ing the ocean—and there is also one law for the land, and another for the water. As well might you attempt to go to sea in a plough, or turn up the earth with the keel of a ship of the line—as well might you travel by land on the back of a whale, or cross the seas mounted on an elephant—as to apply the same maxims of law to the ocean and the land. The elephant would drown in the fathomless deep, and if I might be allowed the personification, *Caveat Emptor* cannot breathe in the atmosphere of salt-water; his lungs are too weak for it.

"Hence, gentlemen of the jury, it follows from strict deduction of analogy, that there must of necessity be a law for the land and a law for the sea, or the law could not possibly be the perfection of reason. Hence too, it is law, that when a man buys a ship ready built, the parties being on Terra Firma, he does it at his peril, and must look out for *Caveat Emptor*. But if, on the contrary, he purchases a vessel, the parties being on the water, I should say that Caveat Emptor would not apply. However this may be, I have no hesitation in saying, that though the buyer of a ship is bound to beware, the person who insures her is entirely exonerated from that obligation. In the one case if the buyer purchases a bad vessel it is at his own risk; in the other, if the insurer takes a risk upon her, it is not necessary in the eye of the perfection of rea-

son, that he too should beware. Again, gentlemen of the jury, a man on land has a perfect right by the common law, to make use of his superior knowledge of certain articles of merchandise in disposing of them to another who has not an equal knowledge; but he has no right to the benefits either of superior knowledge or superior ignorance, in dealing with an insurance company, which, though not exactly a sea animal, is a sort of amphibious monster, entitled to the privileges of both elements.

"Gentlemen of the jury, the counsel for the plaintiff in this suit has relied upon a decision, in a cause where he himself was obliged to take up with a broken-winded horse he had purchased, by virtue of the maxim Caveat Emptor. But this case resembles the present in no one ground of principle. Between the defects of a horse and those of a ship there can be no possible analogy. Whoever heard of a ship being broken-winded or blind of an eye, or indeed having any eyes but dead eyes, which in the eye of the common law are no eyes at all? If the animal had been a *Sea horse*, I am not quite clear that there might not be some ground of analogy on which to found an application of the same principle equally to both cases. As it is, gentlemen, you must find for the defendants, in spite of Caveat Emptor."

I had now but one resource against absolute poverty, to which nothing can reconcile a reasonable man, but the reflection that it puts him in some

measure beyond the reach of the laws. Without money he cannot sue; and without it there is no cause for his being sued. He may therefore snap his fingers at the perfection of reason and defy Satan and all his works, among the worst of which I reckon the subtilties of the law. I made one effort more; I brought an action against the person who sold me the ship, which it had just been decided to be a fraud for me to get insured. I had only to produce the record of that trial to prove that I had been deceived in the purchase. But the case was now altered—there was one law for the land, and another for the sea; and my old friend Caveat Emptor once more changed sides to my utter confusion.

There being no actual warranty, the court instructed the jury, "that according to the maxim Caveat Emptor, it was my own fault if I bought a bad vessel, although the price I paid might furnish presumptive evidence I thought her a good one. The plaintiff has relied on the decision of this court, in a case where it was decided partly upon the evidence of the seller of this very vessel, that she was not sea-worthy, to prove that the defendant knew she was so at the time he sold her to the plaintiff. Now there is no proof that he did actually know the situation of the vessel at the precise moment of making the bargain. He might have become acquainted with these defects afterwards, for aught we know. But at all events, if he did

know, he was not bound to disclose them. The defendant in this cause, is a seaman by profession, and once commanded this very ship. Now, gentlemen, it is a maxim in law, *accusare nemo se debet*, &c. and it is a common saying, which amounts to a precept of common law, that "every sailor is a piece of his ship;" of course he cannot be bound in law or justice to disclose her defects. I am free to acknowledge that this is a hard case, but that is neither your fault nor mine. The law must have its course, let what will become of morality and justice; for it is a maxim in law, that injustice to individuals is the good of the whole. There is no other foundation, under the common law, for individual right, but individual wrong; and as one man's meat is another man's poison, so the decision of a law-suit, in opposition to reason and conscience, only the more firmly establishes the perfection of reason. It is with law as with religion. Each has its martyrs, whose sacrifice is the strongest possible proof of th divinity of its origin. Gentlemen of the jury, you will find for the defendant on the ground that *Caveat Emptor*."

Thus was I, like many of my fellow men, ruined by the very friend upon whom I placed the greatest reliance. Caveat Emptor, whether as friend or foe, seemed destined to be my bane in conjunction with the perfection of reason. I had now nothing left in the world, but a thirty-sixth part, as tenant in

common, of a piece of land about thirty feet square, in one of the out wards of my native city; together with a claim of very considerable amount, on a merchant in a neighbouring seaport town. This last I determined to put in suit in good time. But first I took special care to find out how honest Caveat Emptor stood affected towards me, in this particular instance. To my great content, I discovered that my case did not turn upon that pivot at all. I then proceeded to apply all my dear bought knowledge to the case—consulted the laws—ransacked the decisions of every court for precedents—applied principles, and in short, had, as I thought, made myself thoroughly master of the whole subject. After this, to make all sure, I wrote out a fair statement of my case, and sent it with a fee to two of the first counsel of the place where my antagonist resided. They assured me my claim was perfectly good. Upon this I sent him a defiance, at least my counsel did, of twenty folio pages. He accepted the challenge and I was to meet him on his own ground in the course of a few months, to decide the matter then and there, according to law.

I was on the spot in time, as confident of victory as ever was knight errant, gifted with an enchanted sword, and invulnerable armour. The trial opened, and after some little preliminary forms, the lawyer on the opposite side got up and began to talk about something that Lord Ellenborough, and a late de-

ceased chief justice of Pennsylvania had thought and decided in a certain case of Twaddle *vs.* Tweedle. What the plague have I to do with Twaddle *vs.* Tweedle, thought I, in no little perplexity at finding that my cause was in danger of being decided by the ghosts of Lord Ellenborough and the chief justice of Pennsylvania, instead of the chief justice then sitting on the bench before me.

My astonishment was increased tenfold, on hearing my counsel instead of saying any thing about me or my cause, begin to talk about a certain lawsuit between one Dick Harvey and a Mr. Moody. Upon this, the other side got up, and talked about the great decision between Fairbanks *vs.* Fairchild, which it seems, was too strong for Dick Harvey and Mr. Moody. Down he popt, and up ju pëd we with the still greater and later decision of my Lord Somebody, in the case of Cannon *vs.* Swivel. The opposite lawyer was not in the least daunted, but produced another and later decision of the same judge, which as he maintained nullified the other. Whose cause are you trying? whispered I to my counsel. I thought mine was to come on to-day. Before he could answer me, the judge rose and said something about *Locus in quo*, whereupon my counsel turned round to me very coolly and said—"You've lost your cause." It was too true, though heaven is my witness that to this day I could never tell why or wherefore. All I know is that *Locus in*

quo treated me quite as bad if not worse than Caveat Emptor, and that between them both, I had now nothing left but the thirty-sixth part of thirty feet square of land in my native city. But fate had determined that I should become a perfect martyr to the perfection of reason.

It seems an industrious young lawyer, having just then no business in hand, purchased out one of the joint tenants, and being very anxious to get exclusive possession of his foot of land that he might improve it, applied for a partition. I had, I confess, received notice of this, but considered it a trifle not worth attending to at the time. But I found to my cost that there are no such things as trifles in the common law. On my return from the signal overthrow I had received at the hands of *Locus in quo*, I was saluted with a bill of costs of partition, amounting to considerably more than my share of the land was worth. I was glad to make it over to the professor of the perfection of reason, for his trouble and expense in procuring the partition, and he generously relinquished all further claim upon me. Thus we settled the partition by my being partitioned out of the last shilling of property that *Caveat Emptor* and *Locus in quo* had left me.

Gentlemen, I hope you will not think me unreasonable if, by this time, I began to lose my respect for the perfection of reason. If my worthy uncle had risen

from the grave, I don't think he could have restored it to my good graces. Like a mistress, so full of caprices, contradictions and coquetries, that she at last tires out and disgusts the most ardent admirer, the perfection of reason had played me so many tricks, that I turned my back on it in utter disgust. It appeared to me that whatever the law might have been in ages of comparative ignorance and simplicity, it had now become so refined in its distinctions—so subtle in its metaphysics—so complicated and contradictory in its decisions—so wearisome and capricious in its sinuosities, as to be compared to nothing but an Indian trail through some pathless wilderness, invisible to all eyes, untraceable by all feet, save those only which are guided by an infallible instinct, the joint offspring of nature and necessity. So far from being the perfection of reason, it seemed to me nothing more than the perfection of quibbling sophistry. Instead of a plain straight forward rule of action, simple in itself and easy of comprehension to those who are to be governed by its provisions, it appeared to my awakened senses little else than a farrago of contradictory decisions, pursued through all the mazes of inextricable subtilty into the obscurity of fathomless darkness—a jumble—a chaos without a sun to enlighten, or a hand powerful enough to reduce it to order and beauty. In short, under the influence of my perpetual disappointments at the hands of the

perfection of reason, I actually rejoiced that I had now nothing left in the world, and was consequently above the laws. If any thing can reconcile a reasonable man to the ills of poverty, it is the consoling reflection, that he has passed into that bourne where the lawyers cease from troubling, and the client is at rest.

The remainder of my story is soon told. I was a ruined man, and that too, at the hands of the perfection of reason. Being without the good things of this world, there was nothing left me, but to turn philosopher, and despise them. Indeed, I have always observed, that in proportion as a man gets money he contemns wisdom, just as he who becomes poor despises wealth and takes to wisdom. Money is certainly the root of all evil, as every man is convinced the moment he sees it in the hands of others. There are three things which constitute as it were the three sheet anchors that keep a man riding steady in the same roadstead all his life —property, friends, and a home. My fortune had gone off with honest *Caveat Emptor* and *Locus in quo*—my friends followed closely after—and as to home—I was a bachelor, and a bachelor has no home.

In casting about for employment during the remainder of my days, I at length determined to travel over all parts of the world, and return laden with improvements from all countries for the good of my own. I will visit, thought I, the distant and

polite regions of the earth, and like the bee return laden with honey. I will bring home with me the newest fashions in dress, and the latest opinions in morals—the most exquisite refinements in taste. and the most fashionable models in literature—the rarest plants, and the most odoriferous flowers. I will introduce the thistle from Canada—the black rose and the black swan—mummies from Egypt—dust from the pyramids, and cobwebs from the catacombs—little wooden shoes and white lions from China—paper systems and joint stock companies from the British isles—Perigord pies from France, and music from Italy. My return will be hailed as a new era, and I shall be remembered as the benefactor of my country by a hundred succeeding generations. But from this I was deterred by the reflection, that with the exception of the source of the Niger, and the northwest passage, there was nothing new to be discovered under the sun. The world had been in fact ravaged, not by an irruption of Goths or Vandals, but by armies of peaceful warriors, who instead of destroying with fire and sword, deluged whole countries with bloody ink, and put men, women and children to the point of the pen without mercy, insomuch that a nation stood no more chance of a tolerably decent character among them, than a man who keeps a company waiting dinner two hours for him. There was, in truth, not a hole or corner, either above or under ground, a pyramid, a cataract, catacomb, subterranean tem-

ple, or inexplicable oddity that had not been ransacked and described half a dozen times over.

Like Alexander, I wept for a new world, and remained in sorrowing perplexity, when, one lucky day, at least a dozen of them made their appearance in the nick of time, each ready to be served up in Paternoster Row, to the literary epicures, like boiled eggs at a breakfast. I allude to the promulgation of the sublime theory of the CONCENTRIC SPHERES, which hath sufficiently demonstrated that this globe of ours, instead of being as it were all outside crust, is like the famous pie, which, when opened, discovered four-and-twenty blackbirds all gayly singing a beautiful Italian air. Thus, in a similar manner, the centre of this mundane terrene, when it comes to be explored by adventurous travellers, instead of being tenanted by worms, ground hogs, embryo locusts, field mice, pismires, and other inglorious subterraneans, will be found, beyond doubt, to be peopled by an enlightened race of illustrious Troglodites, who from the very nature of their locality must of necessity see deeper into a subject than other people. At once my mind was made up. I determined to seek these pure and unsophisticated mortals who, being thus retired from the great outside world, must of necessity be free from those vices, follies, and crimes which have entailed upon us the disagreeable necessity of being governed by THE PERFECTION OF REASON.

STORY

OF THE

THIRD WISE MAN OF GOTHAM.

THE PERFECTION OF SCIENCE.

My brother Harmony, began the Third Wise Man of Gotham, has, it seems, been shipwrecked in pursuit of the Perfectibility of Man; and my brother Quominus has fallen a victim to the Perfection of Reason, or the Wisdom of Ages, I can hardly tell which—I, on the contrary, am the martyr of Science.

I was born and educated in the most scientific, literary, and philosophical city of the world—for the women were all Blues and the men Metaphysicians. In truth, I may say, with perfect veracity, there were so many people running after science, that there were not sciences enough for them to run after. The business was overdone; the game was exhausted, as in countries too thickly settled and too much cultivated; and nothing was left for them but the invention of new sciences, to give them employment. Besides, such had been the unwearied industry, the deep sagacity, with which they had pursued the old sciences, that they had driven them from their most secret recesses; detected all their arcana; exposed their occult mysteries; and, in fact,

pulled them by the ears, as it were, out of every hole and corner where they had entrenched themselves for ages. Strangers, who were allured to the city by the fame of its learning, observed with astonishment, that the women could call every thing by its scientific name, and that even the very children talked nearly as wisely as the best of them. Learning, science, and philosophy, were becoming vulgar, insomuch that several people of the highest rank and fashion, began to study ignorance, and actually sent their children to school to unlearn every thing. It was high time, therefore, for the lovers of science to begin to look about them; for the writers and lecturers upon the old Grey Beard mathematics, philosophy, botany, and chemistry, instead of an audience of pretty fashionables, with nodding plumes, were content to confine their instructions to classes of rusty students, who actually came for no other purpose than to learn. The fashionable young ladies began to yawn at conversations, where they met to relax themselves with political economy and metaphysics; and a universal alarm prevailed, when a great heiress, who was considered the bulwark of the blues, backslided, and married a regular dandy, with a thin waist and no learning.

It was high time to get up something new for these people, and as the natives of our isle are more apt to improve upon the inventions of others than

to invent any thing themselves, I was selected by a coterie of philosophers, and sent out into the world to discover a new plaything for these grown up children of knowledge. I travelled, and travelled, and travelled, as the story books say, over divers countries that have neither latitude nor longitude; I visited all the colleges, scientific institutions, and bedlams; sought out the most learned and adventurous philosophers of christendom; consulted the Pundits of India; the Chingfoos of China, the Dervises of Turkey, and the Jugglers of the Flathead Indians of the Missouri. In short, I ransacked the uttermost ends of the earth, and was returning disconsolate, through Germany, to my native city, with a firm conviction that there was nothing new under the sun, when an unexpected adventure befel me on the eve of a long day's journey.

Owing to various untoward accidents, one of which was the lameness of my horse, I had been overtaken by twilight in the midst of the forest of Teutoburgium, not far, as it afterwards proved, from the spot where Varus and his legions had been cut off by the German hero Arminius. As the night gathered thick around me, obscured into Cimmerian darkness by the overarching shades, I became more and more confused and uncertain of my way. I heard the growling of bears, the howling of wolves, the hooting of owls, and the shrill whistle of the bandit, mingling with the sighing and moaning of winds

as they wandered in the impenetrable shades. At length my progress was arrested by a cold and heavy hand, forcibly applied to my mouth, with such excellent aim, considering it was so dark, that it stopt it entirely and prevented me from calling for help, had I bethought myself of doing it. So forcible was the blow, that it knocked me from my horse, and I lay on the ground for a few moments insensible to every thing around me. As I gradually recovered—the pain of my fall—the loneliness of my situation—and the apprehension that the bandit would return with his companions, and finish, perhaps, what he had begun, overcame me entirely, and I groaned at intervals aloud. Nothing for a time answered me, but the dismal echoes of the forest, and once or twice the neighings of what I supposed my own horse, who had wandered to a distance. At length, however, my cries were answered by a voice which seemed close to my ear.

"Who and what art thou, that thus wanderest alone, at midnight, on the spot where the bones of tens of thousands have been bleaching for ages?" cried a hollow and tremulous voice.

"I am a pilgrim," exclaimed I, "from a far distant country, travelling the earth in search of a new science."

"Thou hast hit the nail on the head," replied the invisible voice. "Follow me—give me thy hand

—thou art a lucky man, and hast been born, without doubt, with a silver spoon in thy mouth."

"But my horse," quoth I.

"He is safe," replied the voice, taking me by the hand. As I lifted it to my lips in token of thankfulness, I started back with horror.

"It smells of mortality!" cried I.

"True—It hath handled nothing but the bones of Varus and his legions, for more than thirty years."

"Art thou a sexton?"

"No."

"A grave digger?"

"Follow me, and thou shalt know."

I again gave him my hand with trembling reluctance, and we struck to the right in a direction towards a dim light, which had till now escaped my notice. After proceeding some distance, we approached the entrance of a cave, which descended gently into the bosom of the earth, through a passage dimly lighted by a lamp, leading into an apartment that struck me with inexpressible dismay. It was a charnel-house of skulls, which I took for granted appertained to thousands of murdered wretches, made away with by a band of robbers, of which this wily old wretch was the stool-pigeon, or chief, I hardly knew which. His whole appearance was a composition of supernatural horrors. There did not seem a drop of blood in his body, or an ounce of flesh on his bones. His eye, deep sunk

in his head, glimmered dimmer than the half expiring lamp which obscured rather than illuminated the passage by which we had descended; and his cheeks, for want of the support of teeth, had sunk in on either side, and met together lovingly in the roof of his mouth. His head was without a single hair, and the glossy surface of the skull, divided by lines into different copartments, like the divisions of a map. Each of these was numbered after the manner of sheet maps, for teaching children geography. "Gracious heaven!" exclaimed I, mentally, "he is not only a robber but a necromancer! perhaps the wild huntsman! perhaps one of the infernal quizzical imps of Number Nip! perhaps the wood demon himself. This forest has long been famous for evil doings, and these lines and figures are doubtless the spell by which this diabolical caitiff works his infernal ends." I cast my eyes from the necromancer to the paraphernalia by which he was surrounded. Nothing was seen but skulls piled up in various recesses, or lying about in horrible confusion, so that at every step, they rolled beneath my feet, and grinned in my face, as if in scorn of these impotent injuries. The rest of the embellishments of this Golgotha, have escaped my recollection, for as I continued to stare around, my courage deserted me, my senses wandered, and I trembled from head to foot.

"Thou art cold and doubtless hungry too," said the old mystery of horror—"I was inhospitable not to offer thee something to eat."

He then arose and went to an obscure part of the cave. "He is gone to prepare for me the feast of the worms," thought I, "or perhaps he will presently invite me, like the ghost in Don Juan, to an entertainment of shin-bones and petty-toes. Would I were home again, and perish all new sciences." Presently, however, he returned, and to my very agreeable surprise, presented a piece of cold venison, some bread and a flaggon of beer. "Eat, drink and be merry," quoth he—"for to-morrow I die!" responded I, inwardly, with a sigh. However, hunger is lord of the world, and will swallow up fear, when he is sharp set. I fell upon the venison, and ate as if it were my last; I swallowed oceans of beer, in hopes it would infuse into me a portion of Dutch courage, but in vain. While I was taking my meal, the necromancer or whatever he might be, was examining a large skull, divided and marked in like manner with his own, and apparently comparing it with mine, while he ever and anon exclaimed—

"Bless me!—astonishing!—wonderful!—one would think they had belonged to one and the same person!—Pray, my good friend, if you can stop eating for one moment, tell me, had you ever any other head on your shoulders than the one you carry now?"

"Not that I know of," replied I.

"Astonishing—curious—remarkable—never saw such an identity—wit—locality—amativeness—philoprogenitiveness—ideality—wonder—acquisitiveness—concentrativeness—adhesiveness—cautiousness—tune—size—weight—colouring—language—comparison—causality—love of approbation—order—combativeness, and what not! I would give thousands for your skull. Why, sir, you must be a universal genius. You have the finest collection of organs in the world. You are a poet, a mechanic, a chymist, a philosopher, a musician, a lover of children, an artist, a metaphysician, and any thing else you please, besides."

I began now to be ashamed of myself, that I should have dignified this old fellow with the rank of a bandit and necromancer, when as it now plainly appeared, he was only a harmless madman. At once my terrors subsided, and I became quite jocular.

"Pray," said I, "how came you to know my character and talents so perfectly in this short acquaintance?—I don't think I have spoken five words on any subject connected with these acquirements and qualifications. Have you the faculty of penetrating the interior of the brain, or exploring the secrets of the heart, extemporaneously?"

"The secrets of the heart!" replied the old man contemptuously—"you talk like a blockhead in de-

fiance of the infallible augury of your cerebral development. The heart, young man, hath nothing to do with sensations, affections, impulses, passions, affinities or antipathies. You might as well locate them in the liver, the gizzard, the great toe, the seat of honour, or any other obscure and contemptible part of the human machine—"

"Did he actually call it a machine?" interrupted the Man Machine, eagerly.

"He did, upon my honour—he called it a machine," said the other, and proceeded.

"Know, young man," continued the hermit, "that I perceive by the infallible augury of the only real science upon the face of the earth, thou art destined to be a burning and shining light among the benighted of this earth. Thou shalt carry the lamp even to the uttermost ends of the earth, and into the concentric spheres. Listen and learn." The whole frame of the old man now dilated into actual sublimity—his voice gradually swelled in tones of lofty declamation, and his eye brightened with what I then supposed was inspiration. But I have since ascertained that the eye has nothing to do with the mind, any more than a pair of spectacles. It is only made to see with.

"I was born and brought up," continued he, "within the walls of a college, the name of which I shall withhold, least it might become too vain of the honour; and my ancestors had been professors

of the same faculty for fifteen generations. Not one of them, so far as my knowledge and belief extends, ever was out of sight of the venerable Alma Mater. They studied science in books, and to books they resorted for that knowledge of mankind and of the world, which, being the same in all ages, can only be acquired in the unchangeable lessons of time and experience recorded in books. My father was considered a monster of erudition, who, after having exhausted all the old sciences, imagined new, which he exhausted with equal facility. He went on in this way so long that at last he was sorely puzzled for new sciences to conquer. He came very near dying of ennui, for want of a new difficulty to knock on the head, and in the absence of some excitement of this kind, used to amuse himself whole days with a parrot and a monkey; one of which he had taught to talk quite learnedly upon scientific subjects; and the other to go through a variety of philosophical experiments.

"He soon, however, got tired of this, and then found a temporary amusement in studying natural history in the persons of a great variety of dogs, that used to congregate for amusement and fighting in the large court-yard in front of his residence in the college. Here, for the first time, he noticed that peculiarity of the canine race which exhibits itself in two strange dogs when they come together. He observed that instead of looking into each other's

faces for information, as to the character, objects and intentions of their new acquaintance, they invariably went round to the rear for that purpose. At first he was inclined to believe that they carried their names on the stern, as he had observed was the case with the boats on the river which ran near the city; but on examination he could discover nothing of that kind. It naturally occurred to him, to ask himself the reason, or rather the instinct, of this singular practice. After deep reflection it struck him that it could be no other than a mode pointed out by nature for gaining a thorough insight into the character, views and qualifications of those animals, thus superseding the necessity of long acquaintance and continued scrutiny. He saw too, that these animals signified their satisfaction, and indeed expressed most of their sensations, by wagging their tails, and became thereupon convinced that with them at least the eyes and the face were not the index of the mind. He observed that a stiff tail denoted hostility, while a wagging tail on the contrary expressed sometimes pleasure, sometimes eagerness of anticipation, sometimes confidence, sometimes doubt, sometimes affection; and that whenever it hid itself between the hinder legs, it was the invariable indication of fear. In short, he had no doubt that a complete system of the operations of canine instinct might be deduced from the developments of the organs of the tail; and he

was only deterred from announcing it to the literary world by the apprehension of being laughed at by ignorant persons.

"A hint is, however, sufficient for the wise. Newton caught his idea of gravitation from seeing an apple fall to the ground; Hutton his theory of the formation of the earth by the operation of an internal fire, from a confectioner making sugar-plums; another philosopher from accidentally seeing a nest of iron pots one within the other, with pismires crawling between them, conceived his theory of the concentric spheres; and my father erected the most stupendous science of modern times upon the wagging of a mastiff's tail. Reasoning upwards by the stair-case of analogy, he gradually arrived from the mastiff's tail to a man's head, which he found closely resembling each other in a vast variety of particulars. Both were covered with hair; both were at the extremity of the animal; one nodded, the other wagged. There were other points of resemblance of which expert theorists make a great use, called analogies of opposition, in which the likeness or affinity consists in one thing being the direct antipodes of another. Altogether, my father, from long and intense observation and contemplation, came at last to the conclusion that the tail of the dog, and the head of the man, was certainly the true index of the mind and propensities of each respectively.

"I perceive you smile, as if this idea of a man's head being the seat of sensation and the index of mind was no very great discovery. In the course of my details you will see that this was only the mere threshold, the first step in those speculations that are destined ere long not only to astonish but confound the world. The discovery that the head was the seat of sensation was in fact no discovery at all. But the improvements he made, and the ends to which he applied it, are what constitute his glory. Columbus it is true discovered that there was actually such a place as the new world; but this did not deprive those who subsequently explored, settled, planted, and divided it into separate states, districts, counties and towns, of their portion of credit. In like manner, others had, it may be justly said, discovered a man had a head; but it was reserved for my father to turn that head to some account, by dividing it into different sections and compartments; detailing its peculiarities of soil and climate; describing its various properties and productions; the temperature of the air; the animals that inhabit it; and in fact, giving as it were a complete statistical account of the whole region."

Here, perceiving me yawn a little, the old man took the hint. He proposed retiring for the night, and resuming his details in the morning. Accordingly he showed me into a small recess where was a bed of moss, in which I laid myself down, and

dreamed all night of the catacombs of Egypt. The next morning the good hermit would hardly allow me time to eat my breakfast, so impatient was he to continue his story.

"My father," began he, "next proceeded to lay down his first principles, which he justly considered were more than half the battle. He knew he could look out afterwards at leisure for facts and examples to sustain them. A true philosopher always makes his facts and reasonings dependent on his theory, and not his theory on his facts and reasonings. When his theory is well digested and arranged, a man of the least ingenuity will find all nature administering to his use. Appearances and phenomena which he never dreamed of before will come, like *Sancho's* proverbs, pat to his purpose; and what in the eyes of indifferent persons will seem fatal to his hypothesis, to him will afford unanswerable confirmation. Young man, if thou ever meanest to become a philosopher, follow the example of my father, for be assured if thou waitest for experience to authenticate thy theories, thou wilt die without ever becoming the father of a single new one. Aware of this truth, my father, as I said before, proceeded first to lay down the principles of his new science, intending afterwards to trust to Providence, his own ingenuity, and the liberal spirit of the age, to establish them by facts and demonstration.

"He first laid it down as a maxim, that the head of a man was, as it were, a great organ full of pipes, on which the different qualities, propensities and passions each played their favourite tunes, and on that particular pipe the tone of which best pleased the said quality, propensity or passion.

"That as the pipes of the mechanical organ, being made of materials incapable of expansion, cannot be dilated or contracted; so the pipes of the man-organ, being composed in like manner of materials directly the contrary in their nature and capacity, it follows by analogy of dissimilitude that the animate and inanimate organ are one and the same, for all the purposes of science and philosophy.

"That the form of the brain, and the functions of the several organs or pipes thereof may be ascertained by irrefragable indications, especially by comparing their size, with the power of manifesting the mental faculties. The more a particular organ or pipe of the organ was used the larger it would undoubtedly become; for as friction uniformly diminishes inanimate machinery, so in like manner does it not diminish but strengthen, develop and expand the animated machinery, to wit, the pipes, organs and cavities of the brain.

"To prove this position, he instanced the rope-dancer's legs; the fiddler's right elbow; and above all the female tongue, each of which, he maintained, was uncommonly large and fully developed in consequence of continued and violent

exercise. The eyes of children, he observed, were always larger in proportion than those of grown up people, simply because as every object was new to the former, they naturally stared and wondered at every thing. Again: the nostrils of a snuff-taker were always more dilated than those of ordinary persons; and people given to listening at key-holes always had great ears. All these positions he intended to establish as occasion might offer; and if it proved upon experience that the facts were not according to his theory, all they had to do was to accommodate themselves to it as fast as possible; for it was not to be expected that a philosopher should abandon an hypothesis, merely because it was contrary to facts and experience.

"My father was resolved that his science should be quite original. Lavater had already taken formal scientific possession of the face, and as it were, converted all the seaboard of the country to his use. My father was for that reason resolved to have little or nothing to do with the old settlements, but to travel into the interior and cultivate the back lands. Accordingly he marched round and settled himself upon the remote, uncultivated regions of the cerebellum. Besides the canine example which had given the first idea, and the determination to occupy entirely new ground, he had another argument in favour of this novelty on which he strongly relied. He compared the head to

those houses in the city of Edinburgh, which being built on a side-hill, exhibit a bold front a dozen stories high, but which when approached in the rear dwindle into complete insignificance. Thus there was no such thing as telling what they were until you examined them from behind; and thus too by analogy, all conclusions drawn from the face of a human being were vague and uncertain in the highest degree. It was, moreover, proverbial for people to put their best face as well as their best foot foremost.

"Having thus developed the theory of his new science, he was just setting about propping it up by facts and examples, when he fell ill, and died. It rarely happens indeed that the same person invents, and perfects his invention. Life is too short for any but a chosen few, to acquire the glory of beginning and completing a new science. It was reserved for me to rear up and bring to perfection the magnificent edifice of which my father had laid the foundation.

"At the time of my father's decease, I was a young man of about forty, and had scarcely ever been beyond the walls of our college. I once indeed ventured out into the world to see a fair in the neighbourhood, but happening to meet a person whose organ of destructiveness I perceived was horribly developed, I was afraid he would kill me, and ran home as fast as I could. As a proof of the

infallibility of my science, it was afterwards rumoured that this very man, or somebody very like him, was found guilty of manslaughter at a village about two hundred miles distant. My whole life had been passed between four thick stone walls, in a chamber, the light of which was admitted through the ceiling, where I saw nobody but my parents, and an old female servant whose organ of languages bespoke her prowess, for she could out-talk the whole family. Indeed our prevailing character was that of shyness, awkwardness, and silence. We seldom or ever mixed with the world, and my principle recreation had been to philosophise, smoke my pipe, and drink small beer. Ever since my father propounded his theory of the organs to my alarmed and awakened imagination, I believe I may say, that I never looked a human being in the face. Indeed it was the custom of the whole family to walk leisurely round and examine the back of the head to ascertain each other's wants, feelings and sensations. I can proudly say that my father was never but once mistaken in this infallible augury, and then he fell into such a passion with the organs that they ever afterwards took good care to accommodate themselves to his theory.

"From the period that I became an orphan, I determined to devote my remaining days to the establishment of his favourite science, by actual experiment and observation. I considered it as a

sister orphan in a state of helpless infancy left to my bringing up, and for whose future fate I was in a great measure responsible. Accordingly I declined the hereditary professorship which had been in our family three centuries, and in order that I might study the human character without interruption, retired to this forest, and secluded myself from mankind. I was induced to select this spot in preference to all others, because it afforded me the most ample scope and materials for laying the everlasting basis of what may be emphatically called the science of human nature, taught, not by the quick, but the dead; derived not from the lying tongues and deceitful eyes of living men, but from the tomb, whence the hollow socket and the tongueless, fleshless lips, proclaim in accents of eternal truth, the secrets of the hitherto unvisited brain. Let no one say that when the brain is out, the man will die, for it is then only that he may be figuratively said to live, to speak, and to disclose through the medium of the sublime organs of the cerebellum the secrets of his heart and head, the mystery of what he was when living. Here," said he, with lofty enthusiasm, exhibiting a skull divided and numbered as I have described—"here is the world I study, and here the history of the human race written in characters of eternal truth with the pencil of immortality. I do not want to read Tacitus to know what the owner of this was when living—

I know he was rash, self-willed and brave, and that in the very nature of things, he must have been governed by the organ of combativeness. Look at it—it is the skull of QUINTILIUS VARUS, who was cut off with his three legions on this very spot by our illustrious Herman, whom the historian calls Arminius, to make his name sound like that of a Roman."

"How do you know it is the skull of Quintilius Varus," asked I.

"BY PHRENOLOGY."

"What is that?" asked I again.

"The infallible science invented by my father. It is called phrenology, from phrenzy or phrenetic: my illustrious father having been considered mad during the latter part of his life, like almost all other daring geniuses who have had the courage to instruct mankind. They swallow knowledge with as much difficulty and as many wry faces as they do physic, and reward their benefactors for enlightening them, by calling them mad. But to go on with my story.

"I have mentioned that this cave is in the centre of the encampment where Varus and his legions were slain by the Germans, and their skulls piled up in heaps as recorded by Tacitus. It was for this reason I selected it for the field of my achievements in demonstrating the truths of phrenology. Here I could find innumerable examples to suit my

theory—here I could make what use I pleased of those reliques which elsewhere the ignorant hold sacred; and here, above all, I could remain free from the intrusion of vulgar curiosity, for not a peasant in forty miles will approach this spot except unwittingly. You will wonder perhaps that those skulls should have remained so perfect as you now see them for such a length of time. But when I tell you that with the exception of the Egyptians, the Romans had the thickest and most solid skulls of any ancient people, you will not be incredulous. You recollect Herodotus bears testimony to the thickness of the Egyptian skulls, a fact sufficient in itself to explode the vulgar opinion that a thick skull is synonymous with stupidity.

"Here I proceeded to establish my science upon the eternal basis of demonstration. In the first place I looked into Tacitus, and found that Varus had imprudently advanced far into the pathless forests of Germany—that he had encamped on unfavourable ground; had finally been surprised by Arminius, and himself and all his legions slain. It followed pretty clearly from these premises, that Varus was a daring, uncalculating sort of a person, who beyond all doubt had the organ of combativeness strongly developed, and that of secretiveness exceedingly small. Accordingly, I selected from the skulls scattered around me one which exhibited those two features in the most marked and con-

spicuous manner. This was beyond all question the skull of Varus; and here it is. Examine it—Here is the organ of combativeness, or fondness for fighting; observe how it projects and is expanded. Here—no—here is the organ of secretiveness, or in other words, the propensity to hide away when danger approaches. Observe, it is almost imperceptible. It is plain that the owner of this skull was without the sense of fear; of course it must be the skull of Varus. There is no doubt of it—to disbelieve would argue absolute stupidity—it would be flying in the face of demonstration."

"Without doubt," said I, for I began to be of opinion that this old man was a sage, and in all probability might furnish me with what I had hitherto sought in vain over half the world.

"Very well," continued the sage, "we have thus established the fact, that these particular organs do actually and invariably indicate the qualities my father ascribed to them. The next step was to identify other organs with other qualities until I had made out a complete system, comprehending all the moral, physical and intellectual faculties of the human race. Accordingly I proceeded to select and classify the skulls that lay scattered around, placing all those together which exhibited the same or similar peculiarities. After having done this I proceeded to christen them agreeably to the nomenclature of the infallible science. One heap I dubbed men of

genius, because it was the smallest—another thieves—another murderers—some I called lovers of order—some lovers of tune—some of numbers—some of novelty—some I disposed of in one class, some in another, as situation and circumstances required. For instance, in this very cave which I have now inhabited almost thirty years, I found on my arrival a great many skulls lying dispersed on the floor, or the recesses within. These I took it for granted appertained to persons who had retreated there for shelter—had been discovered by the German army, and put to death. They must therefore have hid away—and therefore the organ of the brain the most remarkable and most strongly developed must of necessity be that of secretiveness or hiding away. I confess that there was a great diversity in the phrenology of these runaways, and that not a few of them exhibited a most provoking development of the organ of combativeness, or fighting. This was a formidable obstacle to my progress, but I got over it at last, by supposing what was very natural, that these latter might have been the skulls of the valiant Germans who, pursuing the runaways into their last retreat, were slain in combat with these cowards, for cowards will fight when desperate.

"There was one particular projection or development of the organ common to all the skulls I examined, which I called the organ of order. The soldiers of Varus were of the veteran Roman le-

gions, who had doubtless been in service almost all their lives. Now the distinguishing characteristic of a soldier, is order and discipline, which are in fact, one and the same. Therefore that organ which is most universally and strongly developed in soldiers, must be the organ of discipline.

"In this manner I continued to build up by degrees my favourite science upon the impregnable basis of experience and demonstration, until I had selected a class of skulls to represent the whole range of human passions and human faculties. In this way too, by unwearied patience and assiduity, I 'established' the truth of my father's theory in a manner that I defy the world to shake. So perfectly am I convinced of its unerring principles, its unassailable strength and accuracy, that were I not so old I would go forth into the world and fearlessly govern myself by the infallible criterion of phrenology in my judgment of mankind. As it is I must leave it to some young and enterprising adventurer to accomplish the only remaining point necessary to convince mankind and overturn the mischievous absurdities of the contemptible science (as by courtesy it is called) of physiognomy."

Here Dr. Gallgotha, for that I found was the hermit's name, concluded his details, which, in their progress, had entirely changed my first impressions in relation to his character and pursuits. As he proceeded in the development of his system, he

called forth my wonder and admiration; and long before he concluded, I had become a convert to his principles. It appeared to me impossible, indeed, that a rational being could shut up his understanding to the conviction of its irresistible demonstrations; and my imagination expanded with the hope of being able, at last, to succeed in the mission which had cost me so many toils and dangers. I remained several days in this abode of science, during which time the doctor gradually unfolded the minutia of his system, and taught me the whole mystery of development. Every day we became more enthusiastically convincedof the impregnability of the science; and nothing could equal the delight of the old man at finding such a scholar, except mine at meeting such a preceptor.

"Thou art just the disciple I should have selected from the whole world—for thou hast the finest development of the organ of faith I ever remember to have seen. Come, I will take my staff and skulls, and, like the sages of old, go forth into the world to teach and to enlighten. Wilt thou be my companion, my disciple, my son by adoption?"

You may suppose I acceded to this proposal with a transport of delight; and it was accordingly arranged to depart the very next day, so anxious were we to begin our scientific pilgrimage. "We shall want nothing," said Dr. Gallgotha—"I will instruct the people, and they in return will grate-

fully administer to our trifling necessities, when what we have is spent."

Accordingly, the next day, having deposited the skull of Quintilius Varus with other specimens exhibiting each of the cerebral developments essential to the demonstration of the doctor's first principles, in a bag, thrown over my horse, we bade a final adieu to the cave of Macpelah, and sallied forth, agreeing to ride and walk by turns. In passing the spot where I had been knocked from my horse by the mysterious hand, I observed a limb projecting over the road, apparently about the height of my mouth when on horseback, and incrusted with an icy sleet. It occurred to me, it might have been this limb that knocked me down and thus, as it were, became a providential instrument in bringing about my meeting with this inspired old man.

Emerging from the forest, we entered a fine picturesque country, full of grassy verdure, blushing vines and laughing villages. At one of these last we stopped for refreshment, and were introduced into a public room where sat perhaps a dozen travellers around a large old fashioned oak table. The old man immediately began to exercise his talent in demonstrative science. He put on his spectacles, and walked leisurely round the table, stopping behind every man and studying the infallible index of his mind at the back of his head. At length he

came to one, at the first view of which, he retreated with horror. He then approached it again, and as if impelled by the irresistible fascination of overwhelming terror, put his fingers upon a part of the man's skull. The fellow started up, and turning furiously round upon the doctor, exclaimed—

"D——n you! what are you about with my head?"

"N—n—n—n—nothing," replied the doctor, in a voice quaking with terror—"I—I—Heavens and earth! what a supernatural development of the organ of ——. Pray, my dear sir, when did you commit your last m——. I'll give you a hundred rix dollars for that skull of yours."

"Old man," replied the fellow, gruffly, "its well for you that you are old, and, as I suspect, not very wise, or I would—"

"O dont—now dont m—m—. Pray now, my dear sir, dont kill me!"

"Kill you!" said the other, with a contemptuous smile, "though my trade is killing, it is not such tough old animals as you I deal with." He then quietly sat down again, while the doctor sidled up to me, and taking my elbow, drew me significantly out of the room.

"We must depart instantly," said he.

"What, without our breakfast?" said I.

"Aye—or it is all over with us. That man is one of the greatest villains in existence—he has the

organ of murder, almost as large as the bass pipe of the great organ at Antwerp—He cannot have committed less than a hundred assassinations. Come—come—let us depart secretly that the murderer may not know which way we go." What an invaluable science, thought I, that thus intuitively announces to us the dangers, which others discover only when it is too late.

We now moved ourselves quietly out of the inn unnoticed by any of the domestics, who, as we owed them nothing, were indifferent to our motions. The old man, and indeed so did I, often looked back to see if the murderer was coming after us, but luckily we turned an angle of the road, and were out of sight before he made his appearance.

"What a lucky escape!" quoth the doctor.

"Miraculous!" responded I.

We proceeded on slowly till the sun began to wax low in the western horizon, when being tired and withal exceeding hungry, we gladly descried a pretty considerable village, in a rich vale which spread its soft evening beauties under our eyes as we reached the summit of a hill, at whose feet it lay nestling. We pushed forward with new spirits, and gaily footed down the hill, close to the bottom of which was an inn, bearing on its sign-post the head of the great Frederick. "There," quoth the doctor triumphantly—"there is a living proof of the falsehood of that delusive science, which Lavater

palmed upon the world. If you look at that head in front, it is the head of a blockhead—if in the rear, it is that of the greatest man Germany ever produced, with the exception of my father, and one other, whom I shall not at present name."

The doctor's self gratulations were speedily put to flight by the appearance of the tremendous assassin we had escaped from in the manner just related. He rode up to the inn, which I afterwards learned was a place where horses were let, dismounted, gave his beast to the hostler, and turned away, carelessly exclaiming, with a significant nod at the doctor—

"O! you're there, are you ?"

"Its all over with us," cried the doctor, in despair—"I shall perish, and what is worse than all, the most noble science ever invented will perish with me ?"

"Pray, sir," said I to the landlord, who had just made his appearance, with a portly figure, a laughing eye, and a jolly careless gait, giving shrewd promise of a pestilent wag—"Pray, sir, what is the name of the person who rode up just now ?"

"Why we call the fellow Abaellino," answered mine host.

"The great bandit," echoed I.

"You may say that," replied he—"that fellow is the greatest robber and murderer in a hundred miles round."

"I told you so," said the doctor aside to me.

"Divine science of phrenology!" aspirated I with fervour.

"A robber and murderer!" resumed the doctor after a pause—"why is he not secured and punished?"

"O, we can't well do without him," rejoined the other—"he is the butcher of the village, and though he regularly robs us in the way of his business, we don't like to turn our backs upon his beef and mutton." So saying, he invited us into the house, and at our request showed us into a room he called the moon, by ourselves. After sitting silent awhile with his face rather averted, the doctor slowly moved his head upon the pivot of his neck, and looking me full in the eye, began—

"This mistake, as it doubtless appears to you who are not yet thoroughly initiated into the mysteries of the science, only the more convinces me of the infallibility of the organs of the cerebellum, in disclosing to the scientific adept, the mysteries of every variety of human character. With what unerring instinct, as it were, did I dive into the secret propensities of the man who has just left us. That his trade or profession was murder, I had not the least doubt; but whether a murderer of men or beasts, the cerebellum does not sufficiently indicate; at least I confess I have not yet detected the precise development of the organ of murder, which

points out the difference between the slayer of men, and the slayer of beasts."

"What a pity!" replied I, sighing.

"Certainly it is to be lamented," continued the doctor, "but it is no impeachment of a science, to say that it is not perfect. There are other defects in our science, which it is one of the objects of this pilgrimage to remedy or remove. It is not yet settled in my system, whether mind operates upon matter, or matter upon mind; in other words, whether those developments, which so unerringly indicate the presence or absence of certain qualities, or propensities of the animal man—"

"I thought you said he called man a machine," interrupted the Man Machine rather impatiently.

"So he did at first," replied Le Peigne—"but this time I am positive he called him an animal."

"He was a fool for his pains—but I beg pardon; go on, sir."

Doctor Gallgotha, continued Mr. Le Peigne, was saying that he was not satisfied in his own mind whether those cerebral developments, which so unerringly indicated the presence or absence of certain decided and governing qualities or propensities of the animal man, were the cause or the effect of these qualities and propensities. "This doubt," continued he, "has occasioned me infinite trouble and vexation, since upon its decision depends the great point, whether mind or matter is predominant in in-

tellectual beings. Whether in fact, mind is the seal, and matter the wax, or *vice versâ*, is what I must of necessity decide experimentally and demonstrably, before I publish my system to the universe."

At this moment there was a loud uproar and bawling in the passage, which attracted our attention, and drew us to that quarter, where we found the jolly landlord chastising a boy belonging to the house, for some fault or other. The lad roared manfully, but the landlord continued his discipline, until at our intercession he let him off. I observed that doctor Gallgotha took particular notice of the stick with which the chastisement was inflicted, and picking it up, examined it with strict attention. When we returned to our room, he seized my hand, and squeezing it with trembling enthusiasm cried out,

"Heureka! Heureka! I have found it!"

"Found what?" said I, a little alarmed least the doctor had lost some such thing as his wits, rather than found any thing valuable.

"I have received a full solution of my doubt, in the simple incident we have just witnessed. Behold how we philosophers differ from other men, in converting apparently the meanest, most trivial incidents into the foundation and supports of a theory. Look at this stick—it has settled a point that has puzzled the wits of the wisest of all ages."

I looked at the stick, and was obliged to confess that I saw nothing very particular about it—it was not even a witch-hazel. The doctor smiled with an ineffable yet condescending look of superiority.

"Didst thou observe how the application of this stick affected the mind of that boy so as to cause him to writhe, and shrink, and cry out aloud?"

"I did."

"And didst thou see or hear any thing of this kind proceeding from the stick?"

"Verily no."

"Very well—thus then we have a convincing example, better than all the argument in the world, that it is matter which operates upon mind and not mind upon matter, since we see this stick, which is altogether composed of matter, is not the least affected by the stripes, at the same time that the mind of the lad is entirely overcome, even unto tears and wailings."

I could almost have fallen at the feet of the man whose capacious mind could thus, as it were, like some potent enchanter, settle the whole universe with the aid only of a little stick or wand. Every moment he gained upon my admiration, and I had forgot even that I had not tasted food all day long, when the maid servant opportunely came in with our supper. Scarcely had she placed it on the table when the doctor cried out—

"Come hither, my pretty girl."

She approached, blushing and bridling, and really looking quite charming.

"Pshaw!" said the doctor, "turn your back—I don't want to see your face—its not worth looking at. Mercy upon us! what a development of the organ of amativeness—truly thou hast a neck like a bull! Thou art over head and ears in love, I warrant thee—and here—here too is the organ of secretiveness, big enough to hold a stout strapping lover as secretly as a kernel in a nutshell. And here, bless me!—here is the organ of inquisitiveness swelled out to an enormous size—Damsel, confess now, thou hast listened at a half-open door, and peeped through a key-hole many a time and oft—hey?"

The damsel took this insinuation in dudgeon, flounced out of the room in a hurry, and proclaimed in the kitchen that there was a witch, or a necromancer in the moon. There was no getting her into the room again the whole evening. After supper we lighted our pipes, for I had learned to smoke at the instance of the doctor, who assured me it was the best medium for philosophising in the world. Doctor Gallgotha then resumed the conversation on the mysteries and doubts which gave him so much trouble and stood so directly in the way of the progress of this stupendous science. By degrees we penetrated deeper and deeper

into the profundity of phrenology, and step by step arrived at the conclusion that it was not only the most noble of all the sciences, but that, if it could only be brought to perfection, it would supersede the necessity of all other modes of human knowledge. In proportion as the smoke of our pipes became more dense and impenetrable, did our mental vision seem to become more clear and penetrating, until we discovered through the mists that enveloped us, the consummation of all our anticipations in the universal establishment of the sublime mysteries of the cerebral development. Then experience would be unnecessary and knowledge of the world superfluous—then men would no longer depend upon the vague and uncertain indications of character exhibited by human actions—then inexperience would no longer be the dupe of cunning and deception—and even children might be taught a profound insight into the characters of each other, by studying the infallible auguries of the cerebral development.

Suddenly however we were brought down to the level of humanity, by a confusion of voices, screams and exclamations, which proceeded from the adjoining room, where we had deposited our baggage. On hastening thither we beheld a scene which beggars description. It seems the jolly landlord had that evening expected a bag of cabbages from a garden he possessed, a little way out of the village,

but had gone to bed without thinking to inquire whether they were actually arrived. The circumstance occurred to him while in bed, and as he was one of those fidgety impatient bodies that can never sleep with a doubt on their minds, he had rung the bell and directed the fair damsel with the organ of inquisitiveness so finely developed, to search for the bag of cabbages, and let him know whether it had come. In pursuance of this order, she at length encountered our bag, and feeling something round in it, untied the string, put in her hand and brought out the identical skull of Quintilius Varus, grinning defiance to Arminius and all his host. The poor girl screamed and fell flat on the floor, upsetting at the same time the bag, which poured forth its contents, rolling in all directions about the room. The scream brought out every living thing within the house, not excepting the cat and the dog. As they entered the room to see what was the matter, they encountered the implements of phrenology, and tumbled one upon the other in horrible confusion, screaming with terror as they discovered the obstacles that had occasioned their fall. The jolly host trembled from top to toe, and swore as loudly as his chattering teeth would permit, as he stood with his tufted nightcap on one side of his head; the innamorato of the inquisitive damsel, who was no other than the hostler, now hovered over his mistress blubbering, and now fell a kicking the

innocent causes of her catastrophe—while pussy delighted with so pretty a plaything, was purring and pawing with the phrenological index of poor Varus. There was not a face less white than a sheet in the whole party, except that of the African cook, which became absolutely ten times blacker than ever with terror and dismay.

When doctor Gallgotha saw the pillars, as it were, of his science thus overthrown and rolling on the floor, subject to the kicks of an illiterate clown and the pawings of an ignorant pussy, he lost all patience, and exclaimed in a hollow voice that seemed to come from one of the tongueless remains before us, and startled even me—

"Avaunt! base and illiterate plebeians—fly—skip—and leave the sacred depositories of the most sublime and incomprehensible of all sciences which ye have thus impiously assailed—leave them I say—and thou most sacrilegious of the feline breed, no longer pollute with thy unhallowed paw the remains of thy betters. Look at me," continued he—"I come from the regions of the dead—I have been for more than thirty years the companion of these eloquent remains that speak without tongues and philosophise without brains—I have conversed all my life with dead men's bones—and may say without exaggeration that I come into the world an envoy from the grave!"

"A ghost—a ghost!" shrieked men, women and

children, at this appalling speech; and indeed the doctor had something extremely supernatural about him at that moment. His pale and hollow cheeks, sunken eyes, shining forehead and skull of polished ivory, unshadowed by a single hair, as he stood holding up the knob of Varus in his hand, altogether seemed to justify the renewed terrors of the group, which now hurried helter-skelter out of the room into the dark entry, where the jolly landlord fell over the damsel with the organ of inquisitiveness so finely developed—the black cook over the jolly landlord, and the rest one upon another in horrible confusion. On their departure the doctor replaced his treasures in the bag, which he desired me to carry up into our sleeping room, where we disposed ourselves to rest. The last thing the good man did before he fell asleep was to observe to me the singular exemplification of the truth of his principles which had just occurred. "It was phrenologically impossible," said he, "that any other person in the house, but the damsel with the organ of inquisitiveness, should have had the curiosity to open my bag."

We slept late in the morning, partly owing to the fatigue of our day's journey and partly to the circumstance of remaining entirely undisturbed. Not a soul knocked at the door, and the region about us seemed as quiet as if inhabited only by Varus and his speechless companions. Seeing the sun shining

bright into our window, I got up, dressed myself, and waking my companion, we descended together into the room we had occupied the night before. Not a soul came near us, and there was no symptom of preparation for breakfast. I opened a door which led into the bar-room to inquire for somebody, and detected the inquisitive damsel peeping through the key-hole. She screamed, and fled away like a wild crane. "More confirmation of the sublime science," exclaimed the doctor, rubbing his hands—"but I should like something to eat." Once more I opened the door and sallied forth, but could find no living soul save ourselves in the whole house. I then proceeded to the stable, where by good luck, as I supposed, I encountered the hostler, who, the moment he saw me with the doctor at my heels, who by this time had overtaken me, seized his pitch-fork and exclaimed, "Doant ee coom noigh me—now dont ee—oi should'nt mooch loike to kill a spook, but by gum an ye coom ony noigher oill make day light shoine through two holes in ee, I wool—so I wool." So saying, he retreated under cover of his fork into the recesses of the stable and there entrenched himself behind a large goat who shouldered his horns at us in defiance.

Perceiving no prospect of getting any breakfast here, after a little preliminary discussion, we decided to saddle our horse and proceed forthwith to the next town as fast as possible, least the panic should

precede us. The hostler stood behind his entrenchment and witnessed our preparations without the least apparent disposition to interfere. When all was ready, the doctor proffered payment for our entertainment and that of our horse.

"Noa—noa," was the reply—"Oi want none of thy diabolical money, not oi—oi dare to say 'twould set moi breeches afire or turn into snakes in moi pocket—noa—noa—goa ee away to the grave where the old mon says he belongs—art welcome to the provender—dang it if I did'nt think he eat his oats different from a Christian horse loike—goa—now do goa, or dang me if I doant stick ee."

"Let me first examine your cerebral development to see if you are really inclined to commit murder," quoth the doctor, advancing.

"Shalt see it quick enough if thee comest any noigher," said hostler, marshaling his pitch-fork.

"Let us begone," said the doctor—"I'd as soon attempt to teach the sublime science to a horse as to that illiterate Cyclops."

Accordingly we proceeded to the house still silent and deserted as before, placed our baggage upon the horse, and leaving what we supposed sufficient for our fare upon the table, departed from the village. As we turned to take a last look at the inn, we detected the inquisitive damsel, peeping cautiously out of a garret window. "Still new demonstrations," cried the doctor, and for a time forgot

he had eaten no breakfast. I afterwards learned that the appearance of the doctor had become a regular ghost story, already incorporated into the country legends, and that the jolly landlord would not touch the money we left on the table until it had been soundly exorcised.

Proceeding on our journey, about noon we arrived at a town, which, being the seat of government of a sovereign prince, who had one sixth of a vote at the Diet, and whose territory was full a league and a half square, was a place of some consequence. Here we determined to stop for the purpose of refreshment, and with a design to stay long enough to deliver a lecture at least. Accordingly, advertisements were posted up in the most conspicuous quarters—for it is to be observed the prince would not allow of a newspaper in his dominions, for fear it might overturn his empire—an invitation was also sent to the prince and princess, together with the lords and ladies of the court, to honour with their presence a lecture on the sublime science. No further particulars were given. "We will surprise them," quoth the doctor, "with an entire novelty."

The best apartment of the inn was procured, and dimly lighted to suit the solemn obscurity of the science to be illustrated; and the table behind which the doctor stood to deliver his lecture was covered with a student's black cloak, borrowed for the occa-

sion. It was somewhat late in the evening before the lecture began, for the prince always took a nap after dinner, with his head in the lap of his mistress. Besides this, some delay occurred in consequence of several disputes about precedence among the nobility, which the prince settled on his arrival. It is curious by the way, that every where else except at courts, when two well-bred persons are going into a room together, the contest is not who shall go first but who shall go last. At length, however, every thing was settled, and the doctor commenced his lecture by explaining the first principles, and general outlines of the sublime science. All this the company endured with exemplary decorum. But when, for the purpose of exemplification, he resorted to his bag, which stood at his side, and one by one leisurely brought forth the skulls of Varus and his companions, there was a terrible uproar among the votaries of science. The sovereign princess shrieked and fainted; of course the ladies of the court could do no less than follow her example. During their insensibility they some way or other managed to get out of the lecture-room, leaving me and the doctor alone, like the children in the wood. The prince was so enraged that he threatened to shut us up in a prison he had, called the Seven Towers; but from this he was dissuaded by a cunning old fox of a minister who reminded him of the practice of throwing a tub to a whale. "It will keep

the people from thinking and talking about a representative government and such dangerous matters," said he, "which is the great use of the arts and sciences." So we escaped the prison of the Seven Towers. We heard afterwards that the reigning princess had been brought to bed of a young prince whose cerebral development was exactly that of Quintilius Varus.

I shall pass over the various incidents of the remaining portion of our journey till we reached Paris, merely observing that the doctor, by reason of enlisting every thing that fell in his way among the demonstrations and exemplifications of the sublime science, had established it, in his own mind, ten times stronger than ever, and so firmly convinced himself and me, that we would have laid down our lives in defence of its principles. By the time we arrived at Paris, we were precisely in that state of enthusiastic excitement, which the vulgar call madness, but which philosophers and theorists well know proceeds from an innate and heaven-born conviction of the truth, connected with a vehement zeal in its propagation.

At Paris we found the throne of science, as it were, deserted and vacant. Ever since the fashionable world became scientific, it has been observed that nothing but novelty will go down at lectures. They get tired even of inspiration, if too often repeated, and the noblest truths of the most sublime sciences are interesting and attractive only so long

as they continue to be new. They coquette with the sciences, as they do with their lovers, and a new science to a fashionable blue stocking, is as a new face or a new fashion. In this state was Paris on our arrival. The astronomers with their great telescopes had ransacked the heavens until not a single incognito star remained; the botanists could find no new plants to christen with unchristian names; the naturalists having exhausted the living world, were busily employed upon antediluvian bones; the chymists having become tired of enacting the bottle conjuror, were fast relapsing into their former usefulness and confining their lectures to those who only came there to be instructed. In short, the old thread-bare sciences were quite out of favour with the fashionable amateurs, as affording nothing but useful practical knowledge, only fit for musty scholars and greasy mechanics. There was not a good joke stirring in all Paris—nor a new tragedy to frighten the government, with declamations about liberty in the mouth of a Greek patriot—nor a rumour of a conspiracy, an intrigue, or a change in the ministry to keep people from dying of ennui, which they certainly would have done if it had not been for a certain ultra-viscount and his new theatre. In short, we came in the nick of time, and the whole world was, as it were, before us.

The doctor lost no time in announcing his arrival, and calling upon some of the most confirmed Ma-

cemi of the city, who are said to be so fond of patronage that they consider it a great obligation for any body to apply for it at their hands. One of these was a good lady, who immediately got into her carriage, and before night had engaged half the beau-monde of Paris to come to the lecture on an entire new science, which had never before been heard of among the learned. In truth, a most brilliant audience collected to hear the doctor, who on this occasion for the first time promoted me to the office of handing and returning the cerebral developments as he had occasion to use them in the course of his lecture.

The lecture with which Dr. Gallgotha commenced his course in Paris, was the same that frightened the sovereign princess and her court into fits; but I will do the ladies of Paris the justice to say that they stood the display of our phrenological specimens, like heroines; whether it be that the French women are naturally bolder than the German, or that a certain fashionable philosopher had in some degree prepared them for scientific horrors, by his exhibition of fossil remains. The thing took amazingly—there was something new in the idea of looking at the back of the head, instead of the face, to ascertain the peculiarities of human character, and novelty is indispensable to the existence of people who have exhausted all other pleasures. There were indeed some ladies belonging to the coteries of

the old lecturers, who affected to laugh at the doctor's theory, but even they were effectually silenced by a discovery of my master, that the organ of tune was developed in the head of the famous composer Rossini, to such a degree that it had actually monopolized nearly the whole of his cerebellum. There was no resisting this proof, not only that Rossini was a great composer of tunes, but likewise that the doctor's science was infallible. The fiddler and the doctor accordingly were the two greatest men in Paris. The rage for cerebral developments became intense, and thenceforward every lady of the least pretensions to fashion or science procured a skull, marked and mapped conformably with the principles of the sublime science, which she placed on her toilet in order that she might dress and study at the same time. Two or three of the most zealous female devotees actually fell in love with the doctor, being deeply smitten with his cerebral development. The fashionable gentlemen whose sole business is to make love, began to grow jealous of Varus and his legions, and one or two ludicrous anecdotes occurred which set all Paris tittering. I will relate them, although I cannot vouch for their truth any farther than to say that every body believed them.

A young nobleman was deeply enamoured of a beautiful lady of high rank, and particularly jealous of one of his rivals who wore powder in his hair. He

had been absent some weeks on military duty, and returning to town one evening, proceeded directly to the house of his mistress intending to surprise her with a visit. Finding a servant at the door, he inquired for the lady, and was told that she was so deeply engaged that she could see nobody. The jealousy of the lover was alarmed, and pushing the servant aside, he proceeded silently towards the lady's boudoir, the door of which he found shut. Pausing a moment, he heard as he imagined two voices within exchanging words of most particular endearment, and something in the pauses that sounded like kissing. Human nature could stand it no longer. He peeped through the key-hole where he saw a sight that drove him to madness. The lady was sitting by the light of a fire which was fast going out, caressing and fondling a figure, the whiteness of whose head too well indicated his detestable powdered rival. From time to time he heard the words amativeness, adhesiveness, hope, secretiveness and elopement, or something that sounded very like it. The thing was perfectly plain—they were exchanging professions of love and planning an elopement. The sight and the conviction was no longer to be borne. He burst open the door furiously, and being in full uniform as an officer of the guards, drew his sword and making a desperate blow at the powdered head, it flew off the shoulders and rolled upon the floor. The lady shrieked and

sunk from her seat; and the jealous lover hearing a noise in the outward apartments, and supposing he had done the gentleman's business pretty effectually, bethought himself that it was high time to take care of himself. He accordingly made the best of his way out of the house, towards the gate St. Honoré, through which he hurried into the country, nor stopped till he had safely lodged himself within his castle in Normandy.

From thence he wrote a letter filled with the most cutting reproaches—charging his mistress with falsehood, cruelty, deceit, and all sorts of villany, and vowing on the cross of his sword, never to see her more. The lady laughed two full hours on the receipt of this defiance. When she had done laughing, as she really had a regard for her admirer, she sat down and wrote him the following reply:

"Good Monsieur Jealousy—

"You are welcome to call me what you will, except it be old or ugly. However, I forgive you, and so does the formidable rival whose head you so dexterously severed from his body, and who I give you my honour is not the least the worse for the accident. I solemnly assure you, you may come back to Paris without the least danger of being prosecuted by the family of monsieur M—— or being received by me with ill humour, for I shall laugh at you terribly.

"Your friend, N. N."

This epistle puzzled the lover not a little, and caused him fifty sensations in a minute. First he would return to Paris, and then he would not—then he resolved never to see his mistress again—and next to mount his horse, return immediately, look her stone dead, and then set out on his travels to the interior of Africa. This last resolution carried the day, and he forthwith returned to Paris in as great a hurry as he had left it. When the lady saw him, she was as good as her word—she laughed herself out of breath, and the more he reproached her, the louder she laughed. However, as anger and laughter can't last for ever, a truce took place in good time, and the lady addressed her lover as follows:

"Cease thy reproaches, my good friend, and hear me. I am determined to give you the most convincing proof in the world of my truth and attachment, by delivering your rival into your hands, to be dealt with as you think proper. Know that he is now concealed in this very room."

"Is he?" replied the other in a rage—"then by heaven he has not long to live—I shall take care to cut off his head so effectually this time that the most expert surgeon in Paris shall not put it on again—where is the lurking caitiff?—But I need not ask—I see his infernal powdered head peeping from under the sopha—come out villain and receive the reward of thy insolence in rivalling me."

So saying, he seized the treacherous powdered head, and to his astonishment drew it forth without any body to it. He stood aghast—and the lady threw herself on the sopha, and laughed ten times louder than before.

"What in the name of woman," cried he at last, "is the meaning of all this mummery?"

"It means that I am innocent—and that your worship is—jealous of the skull, or what is worse, the plaster counterfeit of the skull of your great-grand-mother, the immortal author of the Grand Cyrus. I was but admiring the beautiful indication of the amative organ, from which it plainly appears impossible that any other person could have written such prodigiously long developments of the tender passion."

"But why did you kiss the filthy representation of mortality?"

"You were mistaken," answered the lady—"as the room was rather dark, I placed my face close to it in order the better to see and admire its beautiful cerebral development."

"Its what?" replied the lover impatiently.

"Its phrenological indications."

"And what in the name of heaven are these?" cried the lover in some alarm for the intellects of his fair mistress. The lady then proceeded to explain to him the revolution in science which had taken place during his absence; and a reconciliation

being the consequence, that night took him to the doctor's lecture that he might no longer be an age behind the rest of the world. The story got abroad—indeed the lady could not resist telling it herself to a friend with strict injunctions of secrecy—and all Paris became still more devoted to the sublime science for having afforded such an excellent subject for a joke.

The other story relates to a young nobleman whose situation near the king and orthodox ultraism made him a very distinguished person in the beau-monde. But he was distinguished only in a certain way; that is, he was a sort of butt, on whose shoulders every ridiculous incident was regularly fathered, whether it owed its paternity to him or not. As Pasquin stands sponsor for all the wise sayings of Rome, so M. the Viscount came in for all the foolish actions of Paris. He was, as it were, residuary legatee to all the posthumous follies of his ancestors, as well as the living absurdities of his noble contemporaries. He was one of those people who fancy themselves most eminently qualified for that for which they are most peculiarly unfit, and whom folly and vanity combined, are perpetually stimulating to act in direct opposition to nature or destiny. He was contemptible in his person—yet he set up for a beau and Adonis—he was still more contemptible in mind—yet he never rested till he had bought the title of a Mæcenas and a savan, of an industrious manufacturer of ultra-dog-

gerel rhymes, whom he had got into the National Institute. He was, moreover, born for a valet, or at best, a pastry cook—yet he aspired to the lofty chivalry and inflexible honour of a feudal baron; and he became a soldier only, as it would seem, because he was the greatest coward in all Paris. It was well known that he gave five hundred franks to a noted bully to let him beat him at a public coffee house, and afterwards allowed his brother, a tall grenadier, a pension not to kill him for it.

The viscount had likewise been absent some months at a small town, in one of the northern departments, whither he had gone to suppress an insurrection, began by two or three fish women, stimulated as was shrewdly suspected, by an old gardener, who had, as was confidently asserted, been one of Napoleon's trumpeters. On his return, he for the first time heard of the sublime science and its progress among the beau-monde. The viscount hated all innovations in science, or indeed any thing else. He aspired to be a second Joshua, and to make the sun of intellect at least stand still, if he could not make it go backwards as he had good hopes of doing. Without waiting to hear any of the particulars of our exhibition, he hastened, armed and in uniform as he was, to the hotel where the doctor was at that moment just commencing a lecture.

The valiant viscount advanced with great intrepidity close to the table, and leaning gracefully on

his sword, listened in silence to discover whether there was any thing that smacked of democracy or heterodoxy. At the proper moment I put my hand into our Golgotha, and leisurely drew forth the far-famed skull of Varus, who I have always considered the most fortunate man of all antiquity, in having been surprised and slain in the now more memorable than ever forest of Teutoburgium. As we scientific gentlemen have a hawk's eye for a new comer, one of whom is worth a host of old faces at a lecture, I took care in bringing the cerebral development forth, to thurst it directly towards the face of the viscount with the teeth foremost. The viscount fell back, fainted, and lay insensible for some minutes. But the moment he revived, he started upon his legs in a phrenzy of terror, and began to lay about him with his good sword so valiantly that nobody dared to come near him. First he attacked the doctor and myself, who he charged with the massacre of the eleven thousand virgins, and the introduction of infidel skulls into France, which was tantamount to preaching infidelity. The innocent cerebellum of poor Varus, next felt the effects of his terror-inspired valour. He hacked it until the cerebral development was entirely destroyed, and then proceeded in like manner to make an example of the contents of the bag, which he shivered without mercy, with his invincible sword. In short, before he fairly came to his senses, the worthy gen-

tleman had demolished almost every thing in the room—put out the lights and frightened every soul from the lecture. The solitude and darkness which succeeded, brought him gradually to his recollection, when finding himself thus left alone with the ruins of so many pagan skulls, he gave a great shriek, scampered out of the room, and did not stop until he had sheltered himself in the very centre of a corporal and his guard, belonging to his regiment, who all swore they would stand by him to the last drop of their blood.

This adventure was fatal to my master, Dr. Gallgotha. In the first place, it deprived him of nearly the whole of his phrenological specimens, and without these he was like a workman despoiled of his tools. Besides, the viscount had the very next morning demanded an audience of the king, in which he denounced the doctor, as tinctured very strongly with liberalism, and its invariable concomitants of sacrilege and impiety. Now I will venture to affirm, that the good doctor was not only perfectly ignorant of the very meaning of the word liberal, but that he was equally innocent of the other two charges. The truth is, all his organs of faith, morality and politics, were swallowed up, or elbowed out of the cerebellum, by the prodigious expansion of the organ of ideality or invention. However this may be, the king was more afraid of the three abominations of liberalism, than of plague, pes-

tilence and famine. He consulted the Jesuits, who forthwith decided upon taking the poor doctor and all his works into custody. The valiant viscount, who always volunteered in all cases of liberalism and impiety, undertook the task, aided by a guard of soldiers armed in proof, for he did not know but the doctor might have another bag full of pericraniums. Advancing with great caution they surrounded the house, while the captain of the guard with three stout resolute fellows, entered for the purpose of reconnoitering the ground and especially of ascertaining that there were no skulls to frighten the viscount. That gallant soldier, having settled the latter point to his satisfaction, charged bayonet, in the rear of his guards, and rushing up stairs in spite of Varus and his legions, detected the doctor in the very act of committing to memory a new lecture he had just composed for the purpose of demonstrating that there was a certain organ of the cerebellum, the enlarged development of which always entailed upon its possessor the absolute necessity of committing murder. The doctor and I were clapped up in prison, and his lecture carried to court to undergo a strict examination by the king's confessor and the Jesuits.

It was sometime before these expert mousers of radicalism and infidelity could make any thing of the doctor's lecture, or discover any offence to church or state. At length they came to that part

where, in summing up the subject, he laid down the doctrine of the actual necessity certain persons laboured under of committing murder, and that the rule applied as well to kings as to their subjects.

"He inculcates the doctrine of equality," cried one—"he denies the divine right of kings."

"He is a republican," cried a second.

"He is a traitor," cried a third.

A little farther on they found the following assertion—"I deny that the three legions of Varus formed one body."

"Behold!" said the confessor—"he denies the trinity—he maintains that three is not one—enough. let us burn the book and hang the doctor."

Some of the more moderate counsellers, however, as I afterwards learned, petitioned for a mitigation of the sentence, which was finally commuted into perpetual banishment. We were sent for to hear our doom, and the viscount who always liked a good natured errand was the bearer of the message. As we followed him into the palace, which we all entered uncovered, the doctor observed to me that the viscount had a most formidable development of the organ of self-esteem. The confessor lectured the doctor upon his vile infidelity, his liberalism, and disaffection to church and state, all which came as naturally together as so many chymical affinities. The doctor demand-

ed the proof, and was referred to the passages I have just repeated.

It was in vain that he referred in turn to the other members of the sentences thus garbled, to prove that he was neither alluding to religion or politics in his lecture.

"No matter," said a cunning Jesuit, who could convert a wink of the eye into treason, and a nod of the head into blasphemy—"no matter—a proposition may be both treasonable and heterodoxical in itself, although it has no immediate application to either politics or religion. The assertion that three does not make one, is complete in itself, and requires no reference either to what precedes or what follows. In two months you must be out of France."

And thus were we banished from the paradise of lecturers, only because doctor Gallgotha had wickedly and impiously asserted that the physical organs of kings were the same with those of cobblers, and that three legions, separately encamped, did not make one body. The confessor advised us to go to the new world, where, as there was neither loyalty or religion, we should be in our element. But in truth, the doctor was become tired of Paris, and of the world of fashion, which had begun to discover symptoms of ennui for some little time past. Indeed, several of his greatest admirers had lately absented themselves, to go and see an

automaton, who delivered lectures on the physical organization of man, to the astonishment of all the fashionable lovers of science. Besides all this, the determined valour of the viscount had demolished the precious materials by which he exemplified his theory, and he knew not where to supply the loss without resorting to the forest of Teutoburgium. While we were debating whither to frame our course, and just as I had almost brought the doctor to consent to accompanying me to the city of my nativity, the good old man fell sick, or rather the fabric of nature sunk under him, and the lamp which had illuminated it, began to twinkle so faintly in its socket that it was plain the oil was quite spent.

He took to his bed, from whence he never rose again. I was going to send for a physician. "No," said he with a languid smile—"I will die a Christian, but not a martyr. It is cruel to torture age with unavailing remedies. Besides, I have not money to pay a doctor, and it would mortify my pride to be killed for nothing."

I have a satisfaction, even at this distance of time, in the recollection that I attended him faithfully to the last, supplied his wants and administered to his infirmities, as if he had been my father. About four o'clock one morning, a little before the dawning of the day, and just at the period of time when nature seems to be in her last and profoundest re-

pose, preparatory to waking—the doctor, after laying perfectly still for upwards of an hour, suddenly raised himself upon his elbow—and with an eye clear and bright, surveyed the room all around with a slow and measured turn of the head. For a moment his eye rested upon me—but he did not speak. He then sunk easily upon his pillow—I put my face close to his—he breathed into it once—and there was a long pause. He is gone, said I—no, he breathed again, and there was another still longer pause. It is all over now, said I—but he respired yet once again—and that was the last—I waited, but he breathed no more.

They would not let me bury him in a church-yard, because, as the confessor maintained, he was no Christian, and therefore was not entitled to Christian charity and forgiveness, after he was dead. But I buried the old philosopher, where the grass grew as green, the flowers bloomed as gay, and the birds warbled as sweetly as if the spot had been blessed by the confessor himself. Having done this, I turned my face towards the Athens of the north, which I now felt myself thoroughly qualified to enrich with an entire new science. I had succeeded, indeed, beyond all expectation, and our society having had from time to time, mysterious hints of my progress, was expecting me with anxious impatience.

I accordingly gathered together the wrecks of my old friend's lectures, which had escaped the

researches of the ultra-viscount, and set out on my return to my own country.

Without troubling you with the incidents of my journey which are of no consequence, I arrived in safety at the seat of the sciences. I had been expected with anxiety, and was received with rapture, as one destined to revive the dormant excitement of the fashionable devotees. I found there had been a terrible falling off in my absence. Money had actually got the upper hand of merit; feasts were preferred to philosophy; dances to dogmatizing; gallants to gallypots; and what was worst of all, the most invincible blue stockings without beauty, was no match for a country simpleton, with blue laughing eyes, rosy cheeks, and a partridge figure. Such was the backsliding which had taken place, that a fashionable baronet ventured to declare publicly in favour of downright ignorance; and an old professor of anatomy, was detected in deserting a discussion upon fossil remains, to go and look at a pretty girl who was dancing a cotillion. In short, the temple of science was tottering, and nothing could save it but starting new game, and creating an excitement by some absolute originality.

My accomplices wanted to know very much what I had brought home with me to tickle the lovers of science; but I was determined neither they or the public should learn any thing on the subject, until I disclosed it in a public lecture. I was deter-

mined to take the northern Athens by surprise. Accordingly, it was announced that I would deliver a lecture on phrenology on a particular evening. Phrenology! it sounded indeed like something new. The blues ran to their technological dictionary, but for once they were baffled—the word had not yet got there. It was an entire new coinage. The great difficulty was in procuring the necessary cerebral developments for the purposes of illustration, without subjecting myself to the penalty of the laws. Finding nothing better could be done, I one night went out of the city upon the common, and picked up a number of skulls of animals, principally dogs, to serve me on this one occasion. There was one which had doubtless belonged to a large bull dog, that I was resolved should stand for the identical skull of Varus, which the wrathful viscount had so inhumanly demolished at Paris. Every exertion was made by the society and its friends to get together a fashionable auditory, and accordingly the capacious lecture-room of the northern Athens was crowded with bonnets and feathers most magnificently. There was a brilliant audience, as was erst said of play-houses, and is now said of churches and lecture-rooms.

I confess I felt somewhat skittish, in this first attempt to try on an entire new science. However, I put a good face on the matter, and lectured away, regardless of consequences. I must do them the

justice to say they took it with great good humour. When I talked of the organ of amativeness, the young folks tittered, and began to feel for it at the back of each other's heads—I was assured that many secret attachments were brought to light by this scrutiny, three of which resulted in elopements the next day. But when I brought forth the skull of the bull dog, which I announced as that of Quintilius Varus, the effect was sublime. There was a general scream from the ladies, and two or three heroes of the Peninsula, in full uniform, were observed to look hard at the door. However, they stood their ground manfully, and by putting a bold face on the matter, reassured the more timid of the auditory. Upon the whole, I got through with flying colours, and the debut of the new science was pronounced eminently successful. By the next lecture, I procured a real apparatus of cerebral developments, which I had mapped out to the best of my recollection, according to the theory of Dr. Gallgotha.

After this successful debut, I continued my course, and made proselytes at every lecture, until at length they became sufficiently numerous to form a society, which was accordingly established under the name of the Phrenological Institute. So alarming indeed was my progress, that the old sciences which had once been belles, and still retained a strong disposition to coquette it a little with their veteran beaux, began to wax jealous. Finding themselves, like the an-

cient Britons, likely to be subjected by the very power they had called over in their own defence, they raised the standard against me and my phrenological brethren.

They pronounced my science no science at all; affirming that unlike all others it was subject to no rules, or at least, to none but imaginary ones, that were neither susceptible of demonstration, nor maintainable on the ground of experiment or reasoning. The physiognomists especially, led the van against me, as being their most formidable opponent; and as a wag of our society observed, we were of necessity in a minority, because all persons without brains would, of course, take sides against a science founded on the supposed existence of what nature had denied them. We continued to make head against this formidable array, and to maintain our ascendancy until, in an evil hour, some workmen in digging among the foundations of a ruined abbey, discovered the skull of king Robert Bruce, which falling into the hands of our enemies, was forthwith arrayed against Varus and his legions. It was immediately put to the phrenological test, and found wanting in many of the cerebral developments characteristic of the known qualities of that renowned deliverer of Scotland, and destroyer of phrenology. As ill luck, or destiny, would have it, the development of his organs was phrenologically at war with the whole history of his life; and there

was no getting over this desperate anomaly except by either denying its identity, denying its history, or lastly, explaining the incidents away in such a manner as to reconcile them to our theory. "If the mountain wont come to Mahomet," said the wag of a member, "Mahomet must go to the mountain—if the head of king Robert wont accommodate itself to our science, we must make his history do it, which will be just as well." Accordingly he set about the task, and at our next meeting produced a dissertation, in which he proved pretty clearly that king Robert was altogether a different person from what all the world had believed him to be for centuries; and that so far from his cerebral development contradicting the principles of the sublime science, it demonstrated their truth beyond question.

This dissertation was immediately made public, but although every member of our society believed it would effectually silence all our opponents, such is the obstinacy of long received opinions, and such the inveteracy of jealous rivalry, that it had little influence on the world, and the skull of king Robert proved in the end the battle of Bannockburn to our society. Daily desertions took place from the benches of my lecture-room; the young lovers began again to look into each other's eyes and study the changeable velvet of the cheeks, for indications of the universal passion; and at length it came to

pass that none but the canine race thought of going to the rear to study characters. What the head of king Robert had begun, another head was destined to finish.

A gentleman just arrived from abroad, brought with him, and presented to our society, a cast which he assured me was an exact representation of the skull of SERVIN, immortalized in Sully's Memoirs, as a monster compounded of the sublimest genius and the most grovelling detestable vices. On examination, I discovered to my infinite delight that the cerebral development exhibited the character and propensities of Servin, with a degree of precision that, if known, would silence all cavilling, and go far to establish my system beyond question. I determined at once to bring it into the field in opposition to the head of king Robert, and let them fight it out before the public. Accordingly I announced the receipt of my treasure, and invited all sceptics to come and receive a demonstration of the sublime truths of phrenology. I had not seen such an audience for many a day, although the evening was stormy, and commenced my lecture on Servin's head, in high spirits. I pointed out the development so exactly corresponding with the character—here the organ of ideality, announcing the extent of his genius—and there the organ of cunning and cruelty, announcing the extent of his crimes and duplicity. Here the organ of tune, demonstrating

his taste for music; there the organ of languages, exemplifying his unequalled capacity for their acquirement. Here philoprogenitiveness—there destructiveness—here secretiveness—there concentrativeness. In short, I proved that the head could have belonged to none but a person of great intellectual capacity, contrasted with equal depravity. In the triumph of my heart, I held it up to the audience as the hero of phrenology, the invincible rival and conquerer of king Robert. I shook it in the faces of the unbelievers, and handled it at length with so little discretion, that it fell from my grasp upon the floor, and the plaster flew about in all directions. I hastened to lift it up again, and presenting it to the light, was struck with horror and dismay. The scaling of the plaster had exposed to view the rude outlines of one of those wooden heads which sometimes ornament the coasting vessels of my native country. I had not the presence of mind to put it out of sight, but stood in stupifying embarrassment without uttering a word, when I was at length roused by a hoarse voice crying out—"D——n my eyes, Tom, is'nt that the head of the Lovely Nancy, that some rascally land lubber stole from her bows the other night?" Tom immediately confirmed this with a round sailor's oath, adding—"'Tis a lucky godsend that we came in here for a harbour from the storm to-night, to unkennel this thief of the world, with his outlandish gibberish about serving

heads—if this is the way he serves them, he'll get served with a baker's dozen at the gangway before long." So saying, the two gallant tars advanced to the table and seizing the head of the Lovely Nancy bore it off in triumph, amid shouts of laughter on all sides.

There was no lecturing in the northern Athens after this untoward accident, which shook the faith even of the true believers. All my disciples left me with the exception of a worthy advocate, who was saved from utter condemnation as an insuperable blockhead, only by the uncommon development of the organ of ideality, which sufficiently demonstrated the extent of his genius. It was neck or nothing with him—he must either be an ass or a phrenologist. The others were all laughed away from me.

There was now but one way left me to establish the truths of the sublime science, and that was to demonstrate them by actual practice—to make them the guides of my conduct in life, and to disregard entirely the flickering lights of experience, as well as those vague, uncertain, and delusive indications of character which are supposed to exhibit themselves in the conduct and disposition of mankind. I determined either to show the world the superiority of the unerring test of the cerebral developments, over all other touchstones of human passions, or perish in the attempt. Men have in all ages and

nations sacrificed themselves to the establishment of great truths—nay, many have voluntarily become victims to the most absurd, vain and mischievous theories. Superstition has had, if possible, more enthusiastic and willing martyrs than true religion; and thousands have shed their blood for the support of falsehood, who would have shrunk from doing it in defence of truth. I will therefore, said I, not flinch from the duty before me. I will become the high priest, or the martyr of my science; and if I cannot prove its sublime truths, will at least offer a demonstration that I believe in them myself.

For this purpose it was necessary to leave for awhile the path of philosophy and abstraction, for the busy occupations and pursuits of practical life. It is these and these only, that in the eyes of the vulgar and near-sighted of mankind, furnish the test of truth. They judge of a science, or a theory, not by the unerring standard of its abstract beauty, ingenuity or grandeur, but by its pitiful practical operation, within the sphere of their own actual experience. The great and radical difference between the ignorant and the wise is, that the former persist in obstinately believing what they see, without being able to explain its causes; while the latter consider the evidence of the five senses as only fit for a court of justice, and believe in nothing but what they can account for. They justly consider, that as man is emphatically a reasoning

being, he ought not to give credit to any fact, however obvious it may be to his senses, unless it is supported by at least one good substantial reason on either side, like a bladder under each arm of a swimmer. The vulgar, for example, believe that beef killed in the decrease of the moon, will always shrink in the boiling, because they see it every day, although they can't account for the phenomenon; while the wise go upon surer grounds—they first decide whether a thing is theoretically possible and then assert that it exists. The vulgar are like the blind man, who denied the existence of light, because he could not feel it with his fingers, nor snuff it up with his nose, nor taste it with his tongue, nor hear it with his ears; while the wise may be likened to the ancient philosopher who would not believe his eyes when he saw his house set fire to by lightning, because he could not account for the phenomenon. In fine, the ignorant are the dupes of the five senses; while the wise are governed by the imagination alone—that sublime and almost omnipotent faculty which creates worlds out of nothing, and makes laws for those that never had an existence. But to return from this digression.

The practical business of this life, it will be found, consists principally in three things—getting married—getting a family—and getting rich. There are other miscellaneous occupations—such as driving tandem—running in debt—bilking land-

lords and tailors—and walking up and down the streets—but these are not so general as to form any of the grand divisions of human pursuits. In the furtherance of my great object of demonstrating the sublime truths of phrenology by the vulgar mode of practical application, I resolved to kill two birds with one stone by entering into business, and looking out for a wife at the same time. Not knowing much of the ordinary transactions of the mercantile world, I found it necessary in the first place to choose a partner, with whom I could entrust my capital, and in whose skill I might rely in the transaction of our business. Some people would have gone about, inquiring whether this man or that man was a prudent, honest, sensible and experienced person; and whether he had been long enough known in the community to have established, as the vulgar phrase is, a good character. But I was determined to go a short way to work. I advertised for a partner with a head as like Sir Thomas Gresham as possible, having the zygomatic process very projecting, the organ of order strongly developed, and the sentiments of cautiousness, conscientiousness, veneration, benevolence and firmness all beautifully exhibited on the cerebellum. Without all these, I was fully convinced no man could be a great merchant or build a royal exchange.

In the course of a few days several offered themselves to inspection, whose characters were excel-

lent, but whose cerebral developments convinced me they either had been, or would be, in the course of their lives, consummate rogues. It is astonishing indeed to see how the world is frequently, not to say continually, imposed upon by people who actually go down to their graves, with the reputation of virtue, although fate and phrenology both ordained it should be otherwise. I can only account for it on the ground of deception, or want of opportunity. Being resolved not to be imposed upon by the specious seductions of a good character, I dismissed these applicants one after the other as civilly as possible. At length a person presented himself, who underwent the phrenological test greatly to my satisfaction. He had the finest development for a merchant I ever saw. The organ of acquisitiveness was on a great scale.

"Where is that?" asked Mr. Quominus.

"At the anterior inferior angle of the parietal bone."

"Hum," quoth Mr. Quominus—"and what does the said organ indicate?"

Sometimes it indicates the tendency to acquire and the desire to possess in general. It is the organ in which the idea of property first originated. Sometimes it leads to the collection of coins, minerals, paintings and other curiosities of science—sometimes to the collection of bugs, butterflies and beetles. In men of sense it gives rise to the dispo-

sition to acquire useful things; in fools and idiots, to collect those that are worth nothing. In some it is the love of science; in others the love of money. A man with the organ of conscientiousness pressing upon that of acquisitiveness, will, if he has a hundred acres of land, feel vast delight in acquiring one hundred more, but he will not resort to any improper means to attain them; while another man who hath the organ of acquisitiveness, combined with that of secretiveness, will become a thief in spite of himself. He cannot help it if he would. Among the inferior animals, beavers, bees and ants, are observed to have the organ of acquisitiveness in great perfection. Indeed, it is conspicuous in all *hoarding animals*.

"What a wonderful science!" exclaimed the other two Wise Men of Gotham.

To proceed with my story, said Le Peigne, such was the apt, admirable and harmonious association of organs in the cerebellum of this person, that I perceived it was quite unnecessary to make any inquiries into his character, qualifications and pursuits. I saw at once that he was destined to be another Cosmo de Medicis, and forthwith entered into articles of trade with him on the spot.

My next business was to get an experienced clerk, which I soon did, by applying the touchstone of the infallible science. I found a man whose organ of number was beautifully developed, and most harmoniously associated with that of individuality.

"Where are they situated?" asked Mr. Quominus.

The organ of number, is designated by the arch of the eyebrow being either much *pressed downwards*, or *very much elevated*.

"Then," observed the Man-Machine, "it seems that two appearances exactly opposite to each other, denote the same thing in the science of phrenzy—I mean phrenology?"

No such thing, replied the other—it only proves that two appearances entirely dissimilar may yet be as like as two peas. The development of this organ to any extraordinary extent, renders it impossible for the owner not to be a most expert hand at figures and calculations; and when associated with the organ of individuality—

"Where is that?" interrupted Mr. Quominus.

In the middle of the lower part of the forehead.

"And what does it indicate?"

It is the organ of the memory and the sense of things—and it is always most strongly developed in children. It is also the organ which indicates a proneness to adopt new theories—to embrace the opinions of others, and a vast facility in accommodating ourselves to customs, manners and circumstances. Persons with this organ strongly developed, have moreover a desire, accompanied by the ability, to know facts and things in general—it

prompts to observation and investigation—it greatly aids in producing a talent for all practical business involving details, and hence, to the medical practitioner, the lawyer and the merchant it is invaluable—it communicates power to the orator—art to the novelist—it tends to allegory and personification—it inspired Spenser and John Bunyan—and above all, it delights in the analysis of specific existences.

"What an invaluable organ!" exclaimed Mr. Quominus—"it indicates but every thing, and I should think ought to have been christened the organ of universality, rather than of individuality."

You are mistaken, quoth the other it is not so universal as you may imagine. A person having it strongly developed, retains only general ideas—he is not able to command his knowledge without previous preparation, and therefore can hardly ever become learned, or a great extemporaneous orator. This has been proved by an examination of the skulls of almost every species of animals from the frog to the elephant.

"But what has the head of a bull-frog to do with that of a man?" asked the Man Machine.

Just as much as the tail of a dog, said Le Peigne, rather contemptuously.

"I believe it," said the other dryly. "But really, with submission, sir, it appears to me that in your science not only different and opposite deve-

lopments signify the same thing, but what is still more remarkable, the same development of an organ signifies things altogether different—you first tell us that the organ of individuality is the source of oratory, and then that it prevents a man from speaking extemporaneously, a quality very essential in oratory, I should think. You tell us it is indispensable to certain sciences which children cannot comprehend, and certain pursuits, such as law, physic and merchandise, which children cannot engage in, and yet you say it is most strongly developed in children. It seems to me this savours as it were of contradiction—two assertions so contradictory cannot, I should think, be both true."

Sir, replied Le Peigne—you had better stick to the perfectibility of man and the counteracting principles. Do you not know of the modern discovery, that what is morally impossible, may yet be scientifically true? No science is now considered perfect, except it can not only reconcile contradictions, but impossibilities. My dear sir, I never doubted the perfectibility of your Men Machines; pray allow me the perfection of science.

"With all my heart," said the other. "Be pleased to proceed, brother Le Peigne. Did you engage the Man Machine with the supernatural development, that signified so many opposite yet reconcileable things?"

You shall hear, returned Le Peigne, whose good

nature soon smoothed down any little irritation. I had now got a partner and a clerk, on whom I could confidently rely, for the successful conduct of our affairs, and the speedy acquisition of fortune. Nothing was now wanting but a wife, selected and chosen with a proper regard to the infallible auguries of the cerebral development. As this was the most important matter of all, I resolved to be very particular, and to apply the rules of my art with more than ordinary circumspection. In the first place, it was indispensable that she should have a perfect development of the organ of amativeness—

"Excuse me for interrupting you," said Mr. Quominus—"where is that same organ and what does it signify?"

It is situated, sir, between the mastoid process on each side of the projecting point, in the middle of the transverse ridge of the occipetal bone.

"Any man but an anatomist might as well look for the northwest passage as for these incognito organs," said Quominus—"But the indications?"

The organ of amativeness is placed first in the sublime science, because it indicates the propensity to falling in love—the desire of propagating our species without which there would be neither dog's tails, nor men's heads, and of course no science of phrenology. It is in fact the foundation of all the sciences. Besides this, it is the organ of a variety of other propensities. Monsieur Flourens, who

amused himself occasionally with trepanning bull-frogs, discovered that it was the organ for regulating muscular motion. "On removing the cerebellum over this part," says he, "the animal loses the power of executing combined movements,"—he can move one leg, but not both at the same time. It is also the organ of retrograde motions. Doctor Magendie, who is famous for illustrating the nature of man by the peculiarities of frogs, in performing some experiments upon these animals, discovered that disturbing this organ "occasioned an irresistible propensity in the animal to run, jump or swim backwards." Other scientific inquirers have found that when one part was cut the animal rolled—when another, it went forward in extenso—when another, it bent double.

"O! I see," interrupted the Man Machine. "This organ is a sort of jack of all trades—it can turn its hand to almost any thing. I don't wonder you think it so indispensable in a wife, who should always be particularly expert at jumping and swimming backwards."

The next indispensable requisite in a wife, continued Le Peigne, not heeding this interruption, is the organ of philoprogenitiveness.

"What is that?" said Mr. Quominus.

The organ which indicates an instinctive love of offspring.

"I should suppose that to be universal."

By no means. *Peg Macquarrie*, who murdered her child, was entirely without it—and so was the skull of Varus, who I have no doubt, as Tacitus don't mention his wife or children, was a confirmed bachelor. Many animals of good reputation drive their offspring from them when young; and the birds turn their little ones neck and heels out of the nest as soon as they are fledged. All these, it is very remarkable, are destitute of the organ of philoprogenitiveness. It is situated immediately above the middle part of the cerebellum, and corresponds to the protuberance of the occiput. It is large in the Hindoo, Negro and Carib women.

"Do they love their children better than other women?" asked the Man Machine.

If they don't, they ought to do it; they are scientifically under the necessity of being what nature plainly intended they should be. The next cerebral development indispensable in the organization of a good wife, is that of concentrativeness.

"Where is that, and what doth it signify?" interrupted Mr. Quominus—"I beg pardon, but as I may one day marry myself it may stand me in stead to know something of these matters."

It is just above philoprogenitiveness and just below self-esteem. It indicates sedentary habits and love of home—as is proved by the organ being enormously expanded in a toad that was found imbedded in a solid block of marble, where he must

have remained for centuries. It is likewise very strongly developed in snails, who seldom go from home, as you know.

"I suppose then it must be something like a horn, such as the snails have," said the Man Machine.

Le Peigne gave him a queer side look and proceeded.

Doctor Gallgotha observed, in addition to this love of retirement and indisposition to motion, that the development of this organ was very perceptible in the chamois and other animals fond of climbing heights and browsing upon precipices.

"An excellent quality in a wife," quoth Quominus.

"And a most exquisite organ," said the Man Machine—"it plays so many different tunes. Who would have thought that the same thing could signify the propensity of a toad, a snail, and a wife for staying at home, and the propensity of a goat to climb perpendicular rocks and browse upon the edge of precipices?"

The next organ essential to the perfection of woman, or, as the learned say, the *sine qua non* of a good wife, is—

"What?" said the Man Machine, rubbing his hands eagerly.

The organ of adhesiveness, which is just above the lambdoidal suture. It is designated by No. 1, on the phrenological map of the skull.

"Have you got the map with you? I should like

to take a look at it," said the other, again interrupting him.

I will show it you, when I have finished my story, said the doctor, and went on. I cannot better define the indications of this organ than in the words of one of Dr. Gallgotha's lectures.

"The faculty of adhesiveness," says the doctor, "produces the instinctive tendency to attach one's self to surrounding objects, animate and inanimate. Those persons in whom it is very strong, feel an involuntary impulse to embrace and cling to the object of their affections. In boys it frequently indicates itself by attachment to dogs, horses, rabbits, squirrels, birds, and other animals. In girls it shows itself in affectionate embraces of—

"Of what?" interrupted the Man Machine eagerly.

Of dolls, replied the other. It is stronger, and the organ is larger in women than in men. When too strong it produces the disease called nostalgia—

"What's that?" asked Mr. Quominus.

When feeble, Dr. Gallgotha says, it turns men into hermits, and women into nuns. The organ is large in Mary Maginnes.*

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* It may be as well to apprise the reader in general, that nearly the whole of these phrenological data has been borrowed from Mr. Le Peigne, by the author of a work lately published, called Elements of Phrenology.—Ed.

The last cerebral development I was resolved to insist upon in the phrenology of my wife, was the organ of order.

"Where is that to be found?" asked Mr. Quominus.

It lies contiguous to the angle of the frontal bone, and indicates a love of regularity, and habit of keeping every thing in its proper place. Doctor Gallgotha established this indication from seeing a Dutch woman, who had a large development of this organ, actually faint away at finding a chair out of its place. It is also prominent in the *Termes Bellicosus*, the honey bee, and all animals and insects that live in communities. No animal, however, exhibits it in such perfection as the beaver.

"And did you get such a wonder for a wife?" asked the Man Machine.

You shall hear, returned the other. It was a long time, and not until I began almost to despair of meeting a woman phrenologically perfect, that I succeeded to my wishes. At length, in passing through a country where I was a stranger, I encountered one that answered exactly to all these indications. I inspected her cerebral development and found all the indications quite perfect. This was all I wanted—I made no further inquiries, being determined to put down the enemies of the sublime science by actual demonstration.

"Had she the *sine qua non*, as you call it?" quoth the Man Machine.

Beautifully developed, said the other. I made short work of it. We were married out of hand, and after being acquainted just long enough for me to examine the cerebral development. I brought her to town in triumph, as a being destined to insure the triumph of the sublime science. I took a fine house, and lectured to all the company I could persuade to visit us, upon her irrefragable cerebellum. So immersed was I for some time in this extatic scrutiny, that I forgot my business, my partner, and my clerk, until a friend came to me one day, and with a face of concern, hinted that our business was going on at a sad rate. "Your partner," said he, "is either a rogue or an ignoramus—and your clerk spends his time at taverns and brothels. Every thing is at sixes and sevens—you will be ruined to a certainty, if you are not so already." "What! in spite of the cerebral development." "In spite of fate," replied my friend. "Pshaw!" replied I—"fate is a mere flea-bite compared to phrenology." He left me shaking his head with an air of great concern.

I confess, notwithstanding my reliance upon the cerebral development, I was a little uneasy at these warnings of my friend. My wife too did frequent violence to the organs of order and adhesiveness—for she left my house at sixes and sevens, and seemed to adhere to nothing but her own will. We

never had any children, so that I can't say how it was with the organ of philoprogenitiveness—and as to that of amativeness, the truth of its augury was demonstrated—only there was a little mistake—she embraced her lap-dog ten times oftener than me. I shall pass over the remainder of my story with all brevity, as it is not very pleasant to my recollection, nor very material to my purpose of establishing the practical truths of the infallible science. My partner dissolved the firm about two years after my marriage, by running away, and leaving me answerable for debts which consumed all I had in the world. He took with him every thing he could lay his hands on; even my invaluable clerk with the beautiful development, accompanied the second Cosmo De Medicis, and I never saw either of them again.

My house and furniture, together with all my phrenological specimens, not excepting my wife, soon departed from me, either by course of law or course of nature. Though entirely destitute of the organ of combativeness, she held John Doe and Richard Roe at bay three whole days, and defended the fortress like another Jane de Montfort. At length, however, they came to terms. She stipulated for permission to march out with bag and baggage, and I took it for granted that, like the women of Abensburg, she would leave all her finery and carry me off on her back triumphantly. But I was sadly disappointed, when, after packing up her

clothes, trinkets and other things exclusively appertaining to herself, she came up to me, and making a low courtesy, bade me good bye.

"Where are you going, my dear?" said I—"what will you do alone in the world, without your faithful husband. You had better stay and accompany me to prison."

"No, thank you, my dear, as much as if I did," replied she, making another low courtesy—"I am too prudent a woman to trust myself alone in the world. and am not very fond of retirement. One of my husbands is waiting outside with a hackney coach to take me home with him."

"One of your husbands!" cried I—"Why, how many have you?"

"A baker's dozen," replied she, gliding gracefully out of the room.

"A baker's dozen!" cried the Man Machine—"this comes of the organ of amativeness and the sine qua non."

"Well," said Mr. Quominus gravely—"I suppose this put an end to all doubts as to the infallible auguries of the cerebral development?"

"It did," replied the other—"it established their truth in my mind beyond all contradiction or question."

"You don't say so," quoth the other.

But I do say so, cried Le Peigne, waxing rather warm—I affirm that the failure of my experiment is

the best possible proof of the sublimity of the science."

"Of its sublimity—not of its truth," observed Quominus.

"Of its truth, sir. Every failure in demonstrating the truth adds to the certainty of its existence, and leads most directly to a discovery. You might as well say that there was no new world before Columbus discovered it, as that nothing is true until it is proved to be so. The science of phrenology may be compared to an undiscovered country—a—"

"A terra incognita," said the Man Machine.

"An island of Atalantis," said Quominus.

"An Utopia," cried the other.

"A survey of a canal across the Alleghanies," cried Quominus.

"A rail-way over the Atlantic," roared the Man Machine.

"A mountain in the moon," vociferated Quominus.

"But really," said the Man Machine, after a short pause—"were you really—excuse me—were you really such a goose as to believe in the cerebral developments after they had treated you so scurvily? What could possess you?"

"The same spirit that possessed you to believe in the perfectibility of man, and your friend in the perfection of reason."

"And you don't believe in the perfectibility of man," roared the Man Machine.

"Nor in the perfection of reason," exclaimed Mr. Quominus, half laughing, as if he did not believe in it himself, though he did not like other people to call it in question.

"No more than I believe the moon is made of green cheese, and peopled with Welsh rabbits. But I do not wonder at your putting these visionary follies and absurd theories in competition with my demonstrative science, since I perceive quite plainly, each of you is entirely destitute of the organ of comparison."

"No organ of comparison!" exclaimed the Man Machine.

"No organ of comparison!" cried Quominus.

"No, sir—nor of wit—nor order—nor time—nor tune—nor causality—nor constructiveness—nor colouring—nor number—nor ideality—which is synonymous with genius. Your cerebral developments are horrid—your indications abominable—your cerebellums no better than pine barrens—and the backs of your heads have no more meaning than other people's faces."

"No genius!" cried the Man Machine.

"A pine barren!" exclaimed Quominus.

"He is terribly under the influence of the counteracting principles."

"He is worse than Caveat Emptor, or Locus in quo."

"I could make better skulls out of a potatoe," said Le Peigne, furiously.

"Or the head of the Lovely Nancy," retorted the Man Machine, who with Quominus burst into a roar of laughter at this lucky hit.

I have seen people keep their temper when the argument was against them, but I never knew even a philosopher that could stand two to one against him in a laugh. Le Peigne lifted up a stout ivory headed cane with intent, as I believe, to let it fall on the cerebral development of the Pupil of Circumstances; but that expert Spinning Jenney warded off the blow with his cocked hat, which was unfortunately knocked overboard, and the cane lighted directly on the combative organ of the Perfection of Reason. Each of the Wise Men now started up for the purpose of defending his person, or his theory; and in the confusion the jolly Bowl, being left without a cockswain, imperceptibly drifted into the eddying circles of a great whirlpool, supposed to be the Maelstrom of Norway. Here, after whirling round and round for some time, it unluckily struck against the head of the Man Machine, who was dodging to avoid a second application of the ivory headed cane. The concussion of these two hard bodies proved fatal to the Bowl, which parted exactly in

two pieces, just as it floated to the centre of the vortex, in which the whole party was suddenly engulphed. The last vestige of them that was seen, was the tip of the ivory headed cane, which the doctor seemed still flourishing in vindication of the infallible science.

What became of these renowned philosophers is not precisely known. The most probable, and at the same time, the most consoling opinion is, that this tremendous vortex was one of the great avenues to the newly discovered CONCENTRIC SPHERES; and that, consequently, there is a possibility at least that our illustrious trio may have found in some other world, what they vainly sought in this.

THE END.